



SENATE JOURNAL

STATE OF ILLINOIS

**ONE HUNDRED THIRD GENERAL
ASSEMBLY**

53RD LEGISLATIVE DAY

THURSDAY, MAY 18, 2023

1:59 O'CLOCK P.M.

SENATE
Daily Journal Index
53rd Legislative Day

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The Senate met pursuant to adjournment.
Senator Linda Holmes, Aurora, Illinois, presiding.
Prayer by Pastor Stephen Lawrence, Exodus Church, Springfield, Illinois.
Senator Johnson led the Senate in the Pledge of Allegiance.

Senator Hunter moved that reading and approval of the Journal of Wednesday, May 17, 2023, be postponed, pending arrival of the printed Journal.
The motion prevailed.

LEGISLATIVE MEASURES FILED

The following Floor amendments to the House Bills listed below have been filed with the Secretary and referred to the Committee on Assignments:

Amendment No. 4 to House Bill 2450
Amendment No. 2 to House Bill 3062
Amendment No. 3 to House Bill 3566
Amendment No. 2 to House Bill 3743
Amendment No. 1 to House Bill 3808

JOINT ACTION MOTIONS FILED

The following Joint Action Motions to the Senate Bills listed below have been filed with the Secretary and referred to the Committee on Assignments:

Motion to Concur in House Amendment No. 1 to Senate Bill 58
Motion to Concur in House Amendment No. 2 to Senate Bill 58
Motion to Concur in House Amendment No. 3 to Senate Bill 58
Motion to Concur in House Amendment No. 3 to Senate Bill 684
Motion to Concur in House Amendment No. 1 to Senate Bill 1352
Motion to Concur in House Amendment No. 1 to Senate Bill 1555
Motion to Concur in House Amendment No. 2 to Senate Bill 1665
Motion to Concur in House Amendment No. 3 to Senate Bill 1710
Motion to Concur in House Amendment No. 2 to Senate Bill 1754
Motion to Concur in House Amendment No. 1 to Senate Bill 1872
Motion to Concur in House Amendment No. 1 to Senate Bill 2039

MESSAGE FROM THE PRESIDENT

**OFFICE OF THE SENATE PRESIDENT
DON HARMON
STATE OF ILLINOIS**

327 STATE CAPITOL
SPRINGFIELD, ILLINOIS 62706
217-782-2728

160 N. LASALLE ST., STE. 720
CHICAGO, ILLINOIS 60601
312-814-2075

May 18, 2023

Mr. Tim Anderson
Secretary of the Senate
Room 403 State House
Springfield, IL 62706

[May 18, 2023]

Dear Mr. Secretary:

Pursuant to the Senate Rule 2-10, I hereby extend the committee deadline to May 19, 2023 for the following bills:

HB 301
HB 1119
HB 2493
HB 2875
HB 3720

Sincerely,
s/Don Harmon
Don Harmon
Senate President

cc: Senate Republican Leader John F. Curran

MESSAGES FROM THE HOUSE

A message from the House by
Mr. Hollman, Clerk:

Mr. President -- I am directed to inform the Senate that the House of Representatives has concurred with the Senate in the adoption of their amendment to a bill of the following title, to-wit:

HOUSE BILL NO. 780

A bill for AN ACT concerning State government.

Which amendment is as follows:

Senate Amendment No. 2 to HOUSE BILL NO. 780

Concurred in by the House, May 17, 2023.

JOHN W. HOLLMAN, Clerk of the House

A message from the House by
Mr. Hollman, Clerk:

Mr. President -- I am directed to inform the Senate that the House of Representatives has concurred with the Senate in the adoption of their amendments to a bill of the following title, to-wit:

HOUSE BILL NO. 925

A bill for AN ACT concerning military service.

Which amendments are as follows:

Senate Amendment No. 1 to HOUSE BILL NO. 925

Senate Amendment No. 3 to HOUSE BILL NO. 925

Concurred in by the House, May 17, 2023.

JOHN W. HOLLMAN, Clerk of the House

A message from the House by
Mr. Hollman, Clerk:

Mr. President -- I am directed to inform the Senate that the House of Representatives has concurred with the Senate in the adoption of their amendment to a bill of the following title, to-wit:

HOUSE BILL NO. 1378

A bill for AN ACT concerning education.

Which amendment is as follows:

Senate Amendment No. 1 to HOUSE BILL NO. 1378

Concurred in by the House, May 17, 2023.

JOHN W. HOLLMAN, Clerk of the House

A message from the House by

[May 18, 2023]

Mr. Hollman, Clerk:

Mr. President -- I am directed to inform the Senate that the House of Representatives has concurred with the Senate in the adoption of their amendment to a bill of the following title, to-wit:

HOUSE BILL NO. 1565

A bill for AN ACT concerning regulation.

Which amendment is as follows:

Senate Amendment No. 1 to HOUSE BILL NO. 1565

Concurred in by the House, May 17, 2023.

JOHN W. HOLLMAN, Clerk of the House

A message from the House by

Mr. Hollman, Clerk:

Mr. President -- I am directed to inform the Senate that the House of Representatives has concurred with the Senate in the adoption of their amendments to a bill of the following title, to-wit:

HOUSE BILL NO. 1571

A bill for AN ACT concerning civil law.

Which amendments are as follows:

Senate Amendment No. 1 to HOUSE BILL NO. 1571

Senate Amendment No. 2 to HOUSE BILL NO. 1571

Concurred in by the House, May 17, 2023.

JOHN W. HOLLMAN, Clerk of the House

A message from the House by

Mr. Hollman, Clerk:

Mr. President -- I am directed to inform the Senate that the House of Representatives has concurred with the Senate in the adoption of their amendment to a bill of the following title, to-wit:

HOUSE BILL NO. 1633

A bill for AN ACT concerning education.

Which amendment is as follows:

Senate Amendment No. 1 to HOUSE BILL NO. 1633

Concurred in by the House, May 17, 2023.

JOHN W. HOLLMAN, Clerk of the House

A message from the House by

Mr. Hollman, Clerk:

Mr. President -- I am directed to inform the Senate that the House of Representatives has concurred with the Senate in the adoption of their amendment to a bill of the following title, to-wit:

HOUSE BILL NO. 1767

A bill for AN ACT concerning education.

Which amendment is as follows:

Senate Amendment No. 1 to HOUSE BILL NO. 1767

Concurred in by the House, May 17, 2023.

JOHN W. HOLLMAN, Clerk of the House

A message from the House by

Mr. Hollman, Clerk:

Mr. President -- I am directed to inform the Senate that the House of Representatives has concurred with the Senate in the adoption of their amendments to a bill of the following title, to-wit:

HOUSE BILL NO. 2039

A bill for AN ACT concerning health.

Which amendments are as follows:

Senate Amendment No. 1 to HOUSE BILL NO. 2039

Senate Amendment No. 2 to HOUSE BILL NO. 2039

Concurred in by the House, May 17, 2023.

JOHN W. HOLLMAN, Clerk of the House

[May 18, 2023]

A message from the House by

Mr. Hollman, Clerk:

Mr. President -- I am directed to inform the Senate that the House of Representatives has concurred with the Senate in the adoption of their amendment to a bill of the following title, to-wit:

HOUSE BILL NO. 2068

A bill for AN ACT concerning business.

Which amendment is as follows:

Senate Amendment No. 1 to HOUSE BILL NO. 2068

Concurred in by the House, May 17, 2023.

JOHN W. HOLLMAN, Clerk of the House

A message from the House by

Mr. Hollman, Clerk:

Mr. President -- I am directed to inform the Senate that the House of Representatives has concurred with the Senate in the adoption of their amendment to a bill of the following title, to-wit:

HOUSE BILL NO. 2086

A bill for AN ACT concerning health.

Which amendment is as follows:

Senate Amendment No. 1 to HOUSE BILL NO. 2086

Concurred in by the House, May 17, 2023.

JOHN W. HOLLMAN, Clerk of the House

A message from the House by

Mr. Hollman, Clerk:

Mr. President -- I am directed to inform the Senate that the House of Representatives has concurred with the Senate in the adoption of their amendment to a bill of the following title, to-wit:

HOUSE BILL NO. 2123

A bill for AN ACT concerning civil law.

Which amendment is as follows:

Senate Amendment No. 1 to HOUSE BILL NO. 2123

Concurred in by the House, May 17, 2023.

JOHN W. HOLLMAN, Clerk of the House

A message from the House by

Mr. Hollman, Clerk:

Mr. President -- I am directed to inform the Senate that the House of Representatives has concurred with the Senate in the adoption of their amendment to a bill of the following title, to-wit:

HOUSE BILL NO. 2174

A bill for AN ACT concerning civil law.

Which amendment is as follows:

Senate Amendment No. 1 to HOUSE BILL NO. 2174

Concurred in by the House, May 17, 2023.

JOHN W. HOLLMAN, Clerk of the House

A message from the House by

Mr. Hollman, Clerk:

Mr. President -- I am directed to inform the Senate that the House of Representatives has concurred with the Senate in the adoption of their amendment to a bill of the following title, to-wit:

HOUSE BILL NO. 2214

A bill for AN ACT concerning public aid.

Which amendment is as follows:

Senate Amendment No. 1 to HOUSE BILL NO. 2214

Concurred in by the House, May 17, 2023.

JOHN W. HOLLMAN, Clerk of the House

[May 18, 2023]

A message from the House by

Mr. Hollman, Clerk:

Mr. President -- I am directed to inform the Senate that the House of Representatives has concurred with the Senate in the adoption of their amendment to a bill of the following title, to-wit:

HOUSE BILL NO. 2220

A bill for AN ACT concerning civil law.

Which amendment is as follows:

Senate Amendment No. 1 to HOUSE BILL NO. 2220

Concurred in by the House, May 17, 2023.

JOHN W. HOLLMAN, Clerk of the House

A message from the House by

Mr. Hollman, Clerk:

Mr. President -- I am directed to inform the Senate that the House of Representatives has concurred with the Senate in the adoption of their amendment to a bill of the following title, to-wit:

HOUSE BILL NO. 2231

A bill for AN ACT concerning transportation.

Which amendment is as follows:

Senate Amendment No. 1 to HOUSE BILL NO. 2231

Concurred in by the House, May 17, 2023.

JOHN W. HOLLMAN, Clerk of the House

A message from the House by

Mr. Hollman, Clerk:

Mr. President -- I am directed to inform the Senate that the House of Representatives has concurred with the Senate in the adoption of their amendment to a bill of the following title, to-wit:

HOUSE BILL NO. 2443

A bill for AN ACT concerning regulation.

Which amendment is as follows:

Senate Amendment No. 1 to HOUSE BILL NO. 2443

Concurred in by the House, May 17, 2023.

JOHN W. HOLLMAN, Clerk of the House

A message from the House by

Mr. Hollman, Clerk:

Mr. President -- I am directed to inform the Senate that the House of Representatives has concurred with the Senate in the adoption of their amendment to a bill of the following title, to-wit:

HOUSE BILL NO. 2471

A bill for AN ACT concerning education.

Which amendment is as follows:

Senate Amendment No. 1 to HOUSE BILL NO. 2471

Concurred in by the House, May 17, 2023.

JOHN W. HOLLMAN, Clerk of the House

A message from the House by

Mr. Hollman, Clerk:

Mr. President -- I am directed to inform the Senate that the House of Representatives has concurred with the Senate in the adoption of their amendment to a bill of the following title, to-wit:

HOUSE BILL NO. 2776

A bill for AN ACT concerning safety.

Which amendment is as follows:

Senate Amendment No. 1 to HOUSE BILL NO. 2776

Concurred in by the House, May 17, 2023.

JOHN W. HOLLMAN, Clerk of the House

[May 18, 2023]

A message from the House by

Mr. Hollman, Clerk:

Mr. President -- I am directed to inform the Senate that the House of Representatives has concurred with the Senate in the adoption of their amendments to a bill of the following title, to-wit:

HOUSE BILL NO. 3129

A bill for AN ACT concerning employment.

Which amendments are as follows:

Senate Amendment No. 1 to HOUSE BILL NO. 3129

Senate Amendment No. 2 to HOUSE BILL NO. 3129

Concurred in by the House, May 17, 2023.

JOHN W. HOLLMAN, Clerk of the House

A message from the House by

Mr. Hollman, Clerk:

Mr. President -- I am directed to inform the Senate that the House of Representatives has concurred with the Senate in the adoption of their amendment to a bill of the following title, to-wit:

HOUSE BILL NO. 3236

A bill for AN ACT concerning regulation.

Which amendment is as follows:

Senate Amendment No. 1 to HOUSE BILL NO. 3236

Concurred in by the House, May 17, 2023.

JOHN W. HOLLMAN, Clerk of the House

A message from the House by

Mr. Hollman, Clerk:

Mr. President -- I am directed to inform the Senate that the House of Representatives has concurred with the Senate in the adoption of their amendment to a bill of the following title, to-wit:

HOUSE BILL NO. 3314

A bill for AN ACT concerning civil law.

Which amendment is as follows:

Senate Amendment No. 1 to HOUSE BILL NO. 3314

Concurred in by the House, May 17, 2023.

JOHN W. HOLLMAN, Clerk of the House

A message from the House by

Mr. Hollman, Clerk:

Mr. President -- I am directed to inform the Senate that the House of Representatives has concurred with the Senate in the adoption of their amendment to a bill of the following title, to-wit:

HOUSE BILL NO. 3351

A bill for AN ACT concerning State government.

Which amendment is as follows:

Senate Amendment No. 1 to HOUSE BILL NO. 3351

Concurred in by the House, May 17, 2023.

JOHN W. HOLLMAN, Clerk of the House

A message from the House by

Mr. Hollman, Clerk:

Mr. President -- I am directed to inform the Senate that the House of Representatives has concurred with the Senate in the adoption of their amendment to a bill of the following title, to-wit:

HOUSE BILL NO. 3400

A bill for AN ACT concerning finance.

Which amendment is as follows:

Senate Amendment No. 1 to HOUSE BILL NO. 3400

Concurred in by the House, May 17, 2023.

JOHN W. HOLLMAN, Clerk of the House

[May 18, 2023]

A message from the House by

Mr. Hollman, Clerk:

Mr. President -- I am directed to inform the Senate that the House of Representatives has concurred with the Senate in the adoption of their amendment to a bill of the following title, to-wit:

HOUSE BILL NO. 3498

A bill for AN ACT concerning education.

Which amendment is as follows:

Senate Amendment No. 1 to HOUSE BILL NO. 3498

Concurred in by the House, May 17, 2023.

JOHN W. HOLLMAN, Clerk of the House

A message from the House by

Mr. Hollman, Clerk:

Mr. President -- I am directed to inform the Senate that the House of Representatives has concurred with the Senate in the adoption of their amendments to a bill of the following title, to-wit:

HOUSE BILL NO. 3570

A bill for AN ACT concerning education.

Which amendments are as follows:

Senate Amendment No. 1 to HOUSE BILL NO. 3570

Senate Amendment No. 2 to HOUSE BILL NO. 3570

Concurred in by the House, May 17, 2023.

JOHN W. HOLLMAN, Clerk of the House

A message from the House by

Mr. Hollman, Clerk:

Mr. President -- I am directed to inform the Senate that the House of Representatives has concurred with the Senate in the adoption of their amendment to a bill of the following title, to-wit:

HOUSE BILL NO. 3699

A bill for AN ACT concerning State government.

Which amendment is as follows:

Senate Amendment No. 1 to HOUSE BILL NO. 3699

Concurred in by the House, May 17, 2023.

JOHN W. HOLLMAN, Clerk of the House

A message from the House by

Mr. Hollman, Clerk:

Mr. President -- I am directed to inform the Senate that the House of Representatives has concurred with the Senate in the adoption of their amendment to a bill of the following title, to-wit:

HOUSE BILL NO. 3702

A bill for AN ACT concerning State government.

Which amendment is as follows:

Senate Amendment No. 2 to HOUSE BILL NO. 3702

Concurred in by the House, May 17, 2023.

JOHN W. HOLLMAN, Clerk of the House

A message from the House by

Mr. Hollman, Clerk:

Mr. President -- I am directed to inform the Senate that the House of Representatives has concurred with the Senate in the adoption of their amendment to a bill of the following title, to-wit:

HOUSE BILL NO. 3707

A bill for AN ACT concerning transportation.

Which amendment is as follows:

Senate Amendment No. 1 to HOUSE BILL NO. 3707

Concurred in by the House, May 17, 2023.

[May 18, 2023]

PRESENTATION OF CELEBRATION OF LIFE RESOLUTIONS

SENATE RESOLUTION NO. 310

Offered by Senator Harmon and all Senators:
Mourns the death of Nancy Arends of River Forest.

SENATE RESOLUTION NO. 311

Offered by Senator Harmon and all Senators:
Mourns the passing of Newton N. Minow of Chicago.

SENATE RESOLUTION NO. 312

Offered by Senator Harmon and all Senators:
Mourns the death of Shirley Eleanor Christell of Forest Park.

SENATE RESOLUTION NO. 313

Offered by Senator Harmon and all Senators:
Mourns the death of Robert Carlson.

SENATE RESOLUTION NO. 314

Offered by Senator Harmon and all Senators:
Mourns the passing of Mary Elizabeth Jeske.

SENATE RESOLUTION NO. 315

Offered by Senator Harmon and all Senators:
Mourns the passing of Charles Randall "Randy" Lewis of Newtown, Connecticut.

SENATE RESOLUTION NO. 316

Offered by Senator Harmon and all Senators:
Mourns the death of Larry Hagen of Oak Park.

SENATE RESOLUTION NO. 317

Offered by Senator Sims and all Senators:
Mourns the death of Aréannah M. Preston.

By unanimous consent, the foregoing resolutions were referred to the Resolutions Consent Calendar.

PRESENTATION OF CONGRATULATORY RESOLUTION

SENATE RESOLUTION NO. 309

Offered by Senator D. Turner:
Congratulates Andre Tyler Iguodala on his retirement as an NBA basketball player for the Golden State Warriors. Wishes him success in his future endeavors.

Under the Rules, the foregoing resolution was referred to the Committee on Assignments.

PRESENTATION OF RESOLUTION

Senator Morrison offered the following Senate Joint Resolution, which was referred to the Committee on Assignments:

SENATE JOINT RESOLUTION NO. 40

WHEREAS, On Monday, July 4, 2022, the City of Highland Park and thousands of its residents and neighbors gathered for its annual Fourth of July parade; and

WHEREAS, For generations, Highland Park has hosted this parade, one of the largest Fourth of July gatherings in the northern suburbs of Chicago; and

WHEREAS, At 10:14 a.m., tragedy struck as an alleged lone gunman opened fire with a semi-automatic rifle at the intersection of 2nd Street and Central Avenue in downtown Highland Park; and

WHEREAS, In less than one minute, the assailant shot 83 bullets into the crowd, killing 7 and injuring dozens; and

WHEREAS, As residents ran from the gunfire, placed their bodies over their loved ones, and sought safety, first responders who had come to watch the parade put themselves in harm's way; and

WHEREAS, Community Emergency Response Team (CERT) members and community volunteers rushed to the scene and bravely worked side by side with fire and police personnel and medical professionals, helping to save lives through their quick action; and

WHEREAS, Law enforcement officers from Highland Park and hundreds of others throughout the State of Illinois and at all levels of government worked together to quickly secure downtown Highland Park and later apprehend the suspect; and

WHEREAS, Mayor Nancy Rotering admirably and strongly led the grieving Highland Park community in the minutes immediately after the shooting and in the weeks and months following the shooting, as the international community looked to her leadership; and

WHEREAS, City Manager Ghida Neukirch selflessly ran to the scene of the shooting to provide first aid to gunshot victims, going far above and beyond her duties and providing extraordinary care to the Highland Park community in the moments following the shooting; and

WHEREAS, Physicians, nurses, and other staff raced to Highland Park Hospital to assist the injured, some coming straight from the parade, doing incredible work under intense and difficult circumstances; and

WHEREAS, Hundreds of therapists, counselors, and social workers have supported those experiencing trauma from what they witnessed during and after the shooting; and

WHEREAS, Gun violence remains a deeply concerning issue across the State, with numerous incidents highlighting the urgent need for effective prevention strategies; and

WHEREAS, It is essential to acknowledge recent incidents that have underscored the devastating impact of gun violence on individuals, families, and communities in Chicago; and

WHEREAS, From May 12 to May 14, 2023, there were eight fatalities and 20 others injured due to gun violence in the City of Chicago, leaving a profound impact on the affected community; and

WHEREAS, Another incident on May 6, 2023 in South Side Avalon Park resulted in the loss of Chicago police officer Aréanah Preston and inflicted immeasurable pain on the families and friends left to cope with the aftermath; and

WHEREAS, These incidents serve as heartbreaking reminders of the urgent need for comprehensive approaches to gun violence prevention, encompassing community-based solutions, law enforcement efforts, and policy reforms; and

[May 18, 2023]

WHEREAS, It is crucial to recognize the collective grief and trauma experienced by those directly affected by these incidents, as well as the enduring impact on the broader Chicago community; therefore, be it

RESOLVED, BY THE SENATE OF THE ONE HUNDRED THIRD GENERAL ASSEMBLY OF THE STATE OF ILLINOIS, THE HOUSE OF REPRESENTATIVES CONCURRING HEREIN, that we declare July 2 through July 8, 2023 as "Gun Violence Memorial and Prevention Week" in the State of Illinois; and be it further

RESOLVED, That we mourn the lives lost at the hands of gunfire in the City of Highland Park on July 4, 2022; and be it further

RESOLVED, That we remember all gun violence victims in the City of Chicago; and be it further

RESOLVED, That we especially remember the lives of Katherine Goldstein, Irina McCarthy, Kevin McCarthy, Stephen Straus, Jacquelyn Sundheim, Nicholas Toledo-Zaragoza, Eduardo Uvaldo, and Aréanah Preston; and be it further

RESOLVED, That we remember all of those around the State of Illinois who have been lost to gun violence; and be it further

RESOLVED, That we recognize the surviving family members who live with the trauma of their losses; and be it further

RESOLVED, That we honor the City of Highland Park, the City of Chicago and their law enforcement, first responders, and community leaders for their service to the people of Illinois; and be it further

RESOLVED, That we urge leaders to continue to do everything in their power to ensure communities across the State do not experience the trauma of gun violence, so that these horrific tragedies shall not be in vain; and be it further

RESOLVED, That suitable copies of this resolution be delivered to the City of Highland Park and the City of Chicago.

REPORTS FROM STANDING COMMITTEES

Senator D. Turner, Chair of the Committee on Agriculture, to which was referred the Motion to Concur with House Amendment to the following Senate Bill, reported that the Committee recommends do adopt:

Motion to Concur in House Amendment No. 1 to Senate Bill 1701

Under the rules, the foregoing motion is eligible for consideration by the Senate.

Senator D. Turner, Chair of the Committee on Agriculture, to which was referred the following Senate floor amendment, reported that the Committee recommends do adopt:

Senate Amendment No. 2 to House Bill 3710

Under the rules, the foregoing floor amendment is eligible for consideration on second reading.

Senator Martwick, Chair of the Senate Special Committee on Pensions, to which was referred the Motions to Concur with House Amendments to the following Senate Bills, reported that the Committee recommends do adopt:

[May 18, 2023]

Motion to Concur in House Amendment No. 1 to Senate Bill 1630; Motion to Concur in House Amendment No. 1 to Senate Bill 1646; Motion to Concur in House Amendment No. 1 to Senate Bill 1648

Under the rules, the foregoing motions are eligible for consideration by the Senate.

Senator Martwick, Chair of the Senate Special Committee on Pensions, to which was referred the following Senate floor amendments, reported that the Committee recommends do adopt:

Senate Amendment No. 2 to House Bill 2147
 Senate Amendment No. 3 to House Bill 2147
 Senate Amendment No. 4 to House Bill 2147
 Senate Amendment No. 3 to House Bill 2352

Under the rules, the foregoing floor amendments are eligible for consideration on second reading.

INTRODUCTION OF BILLS

SENATE BILL NO. 2582. Introduced by Senator Villa, a bill for AN ACT concerning criminal law.

The bill was taken up, read by title a first time, ordered printed and referred to the Committee on Assignments.

SENATE BILL NO. 2583. Introduced by Senator Preston, a bill for AN ACT concerning appropriations.

The bill was taken up, read by title a first time, ordered printed and referred to the Committee on Assignments.

SENATE BILL NO. 2584. Introduced by Senator Preston, a bill for AN ACT concerning State government.

The bill was taken up, read by title a first time, ordered printed and referred to the Committee on Assignments.

HOUSE BILL RECALLED

On motion of Senator Villivalam, **House Bill No. 2147** was recalled from the order of third reading to the order of second reading.

Floor Amendment No. 1 was postponed in the Senate Special Committee on Pensions.

Senator Villivalam offered the following amendment and moved its adoption:

AMENDMENT NO. 2 TO HOUSE BILL 2147

AMENDMENT NO. 2. Amend House Bill 2147 on page 1, line 5, by replacing ", 16-127, and 20-109" with "and 16-127"; and

by deleting line 14 on page 12 through line 19 on page 13.

The motion prevailed.

And the amendment was adopted and ordered printed.

Senator Villivalam offered the following amendment and moved its adoption:

AMENDMENT NO. 3 TO HOUSE BILL 2147

AMENDMENT NO. 3. Amend House Bill 2147 on page 1, line 4, after "amended", by inserting "by adding Section 8-108.3 and"; and

[May 18, 2023]

on page 1, immediately below line 5, by inserting the following:

"(40 ILCS 5/8-108.3 new)

Sec. 8-108.3. Credit for service as a part-time employee of the Board of Education of the city. An employee of the Board of Education of the city, regardless of his or her position, may establish up to 2 years of service credit in the Fund for part-time employment with the Board of Education of the city prior to becoming an employee by applying no later than 6 months after the effective date of this amendatory Act of the 103rd General Assembly and paying to the Fund for that employment an amount equal to the (1) employee contributions based on the actual compensation received and the rate of contribution in effect on the date of payment; plus (2) an amount representing employer contributions determined by the retirement board; plus (3) interest at the effective rate from the date of service to the date of payment. However, service credit shall not be granted under this Section for any such prior employment for which the applicant received credit under any other provision of this Code or during which the applicant was on a leave of absence."

The motion prevailed.

And the amendment was adopted and ordered printed.

Senator Villivalam offered the following amendment and moved its adoption:

AMENDMENT NO. 4 TO HOUSE BILL 2147

AMENDMENT NO. 4 . Amend House Bill 2147, AS AMENDED, in Section 5, in the introductory clause, by replacing "and 16-127" with ", 16-127, and 16-132"; and

in Section 5, immediately below Sec. 16-127, by inserting the following:

"(40 ILCS 5/16-132) (from Ch. 108 1/2, par. 16-132)

Sec. 16-132. Retirement annuity eligibility. A member who has at least 20 years of creditable service is entitled to a retirement annuity upon or after attainment of age 55. A member who has at least 10 but less than 20 years of creditable service is entitled to a retirement annuity upon or after attainment of age 60. A member who has at least 5 but less than 10 years of creditable service is entitled to a retirement annuity upon or after attainment of age 62. A member who (i) has earned during the period immediately preceding the last day of service at least one year of contributing creditable service as an employee of a department as defined in Section 14-103.04, (ii) has earned at least 5 years of contributing creditable service as an employee of a department as defined in Section 14-103.04, and (iii) retires on or after January 1, 2001 is entitled to a retirement annuity upon or after attainment of an age which, when added to the number of years of his or her total creditable service, equals at least 85. Portions of years shall be counted as decimal equivalents.

A member who is eligible to receive a retirement annuity of at least 74.6% of final average salary and will attain age 55 on or before December 31 during the year which commences on July 1 shall be deemed to attain age 55 on the preceding June 1.

A member meeting the above eligibility conditions is entitled to a retirement annuity upon written application to the board setting forth the date the member wishes the retirement annuity to commence. However, the effective date of the retirement annuity shall be no earlier than the day following the last day of creditable service, regardless of the date of official termination of employment; however, upon written application within 6 months after the effective date of this amendatory Act of the 103rd General Assembly by a member or annuitant, the creditable service and earnings received in the last fiscal year of employment may be disregarded when determining the retirement effective date and the retirement benefit except that the effective date of a retirement annuity may be after the date of official termination of employment as long as such employment is for (1) less than 10 days in length; and (2) less than \$2,500 \$2,000 in creditable earnings; and (3) the last fiscal year of employment includes only a fiscal year beginning on or after July 1, 2016 and ending before June 30, 2023 compensation. The retirement effective date may not, as a result of the application of this amendatory Act of the 103rd General Assembly, be earlier than July 1, 2016.

To be eligible for a retirement annuity, a member shall not be employed as a teacher in the schools included under this System or under Article 17, except (i) as provided in Section 16-118 or 16-150.1, (ii) if the member is disabled (in which event, eligibility for salary must cease), or (iii) if the System is required by

federal law to commence payment due to the member's age; the changes to this sentence made by this amendatory Act of the 93rd General Assembly apply without regard to whether the member terminated employment before or after its effective date.

(Source: P.A. 102-871, eff. 5-13-22.)".

The motion prevailed.

And the amendment was adopted and ordered printed.

There being no further amendments, the bill, as amended, was ordered to a third reading.

READING BILLS FROM THE HOUSE OF REPRESENTATIVES A THIRD TIME

On motion of Senator Villivalam, **House Bill No. 2147** having been printed as received from the House of Representatives, together with all Senate Amendments adopted thereto, was taken up and read by title a third time.

And the question being, "Shall this bill pass?" it was decided in the affirmative by the following vote:

YEAS 57; NAYS None.

The following voted in the affirmative:

Anderson	Fowler	Loughran Cappel	Stadelman
Aquino	Gillespie	Martwick	Stoller
Belt	Glowiak Hilton	McClure	Syverson
Bennett	Halpin	McConchie	Tracy
Bryant	Harris, N.	Morrison	Turner, D.
Castro	Harriss, E.	Murphy	Turner, S.
Cervantes	Hastings	Pacione-Zayas	Ventura
Cunningham	Holmes	Peters	Villa
Curran	Hunter	Plummer	Villanueva
DeWitte	Johnson	Porfirio	Villivalam
Edly-Allen	Jones, E.	Preston	Wilcox
Ellman	Joyce	Rezin	Mr. President
Faraci	Koehler	Rose	
Feigenholtz	Lewis	Simmons	
Fine	Lightford	Sims	

This bill, having received the vote of a constitutional majority of the members elected, was declared passed, and all amendments not adopted were tabled pursuant to Senate Rule No. 5-4(a).

Ordered that the Secretary inform the House of Representatives thereof and ask their concurrence in the Senate Amendments adopted thereto.

On motion of Senator Ellman, **House Bill No. 2301** having been printed as received from the House of Representatives, together with all Senate Amendments adopted thereto, was taken up and read by title a third time.

And the question being, "Shall this bill pass?" it was decided in the affirmative by the following vote:

YEAS 58; NAYS None.

The following voted in the affirmative:

Anderson	Fine	Lightford	Sims
Aquino	Fowler	Loughran Cappel	Stadelman
Belt	Gillespie	Martwick	Stoller
Bennett	Glowiak Hilton	McClure	Syverson
Bryant	Halpin	McConchie	Tracy

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Castro	Harris, N.	Morrison	Turner, D.
Cervantes	Harriss, E.	Murphy	Turner, S.
Chesney	Hastings	Pacione-Zayas	Ventura
Cunningham	Holmes	Peters	Villa
Curran	Hunter	Plummer	Villanueva
DeWitte	Johnson	Porfirio	Villivalam
Edly-Allen	Jones, E.	Preston	Wilcox
Ellman	Joyce	Rezin	Mr. President
Faraci	Koehler	Rose	
Feigenholtz	Lewis	Simmons	

This bill, having received the vote of a constitutional majority of the members elected, was declared passed, and all amendments not adopted were tabled pursuant to Senate Rule No. 5-4(a).

Ordered that the Secretary inform the House of Representatives thereof.

On motion of Senator Villa, **House Bill No. 2539** having been printed as received from the House of Representatives, together with all Senate Amendments adopted thereto, was taken up and read by title a third time.

And the question being, "Shall this bill pass?" it was decided in the affirmative by the following vote:

YEAS 57; NAYS None.

The following voted in the affirmative:

Anderson	Fine	Lightford	Sims
Aquino	Fowler	Loughran Cappel	Stadelman
Belt	Gillespie	Martwick	Stoller
Bennett	Glowiak Hilton	McClure	Syverson
Bryant	Halpin	McConchie	Tracy
Castro	Harris, N.	Morrison	Turner, D.
Cervantes	Harriss, E.	Murphy	Turner, S.
Chesney	Hastings	Pacione-Zayas	Ventura
Cunningham	Holmes	Peters	Villa
Curran	Hunter	Plummer	Villanueva
DeWitte	Johnson	Porfirio	Villivalam
Edly-Allen	Jones, E.	Preston	Mr. President
Ellman	Joyce	Rezin	
Faraci	Koehler	Rose	
Feigenholtz	Lewis	Simmons	

This bill, having received the vote of a constitutional majority of the members elected, was declared passed, and all amendments not adopted were tabled pursuant to Senate Rule No. 5-4(a).

Ordered that the Secretary inform the House of Representatives thereof.

HOUSE BILL RECALLED

On motion of Senator Peters, **House Bill No. 2826** was recalled from the order of third reading to the order of second reading.

Senator Peters offered the following amendment and moved its adoption:

AMENDMENT NO. 1 TO HOUSE BILL 2826

AMENDMENT NO. 1. Amend House Bill 2826 on page 1, line 9, after "require", by inserting "self-disclosure of".

The motion prevailed.

And the amendment was adopted and ordered printed.
There being no further amendments, the bill, as amended, was ordered to a third reading.

READING BILLS FROM THE HOUSE OF REPRESENTATIVES A THIRD TIME

On motion of Senator Peters, **House Bill No. 2826** having been printed as received from the House of Representatives, together with all Senate Amendments adopted thereto, was taken up and read by title a third time.

And the question being, "Shall this bill pass?" it was decided in the affirmative by the following vote:

YEAS 36; NAYS 19.

The following voted in the affirmative:

Aquino	Gillespie	Lightford	Turner, D.
Belt	Halpin	Martwick	Ventura
Castro	Harris, N.	Murphy	Villa
Cervantes	Hastings	Pacione-Zayas	Villanueva
Cunningham	Holmes	Peters	Villivalam
Edly-Allen	Hunter	Porfrio	Mr. President
Ellman	Johnson	Preston	
Faraci	Jones, E.	Simmons	
Feigenholtz	Joyce	Sims	
Fine	Koehler	Stadelman	

The following voted in the negative:

Anderson	DeWitte	McConchie	Syverson
Bennett	Fowler	Plummer	Tracy
Bryant	Harriss, E.	Rezin	Turner, S.
Chesney	Lewis	Rose	Wilcox
Curran	McClure	Stoller	

This bill, having received the vote of a constitutional majority of the members elected, was declared passed, and all amendments not adopted were tabled pursuant to Senate Rule No. 5-4(a).

Ordered that the Secretary inform the House of Representatives thereof and ask their concurrence in the Senate Amendment adopted thereto.

On motion of Senator Villivalam, **House Bill No. 2829** having been printed as received from the House of Representatives, together with all Senate Amendments adopted thereto, was taken up and read by title a third time.

And the question being, "Shall this bill pass?" it was decided in the affirmative by the following vote:

YEAS 57; NAYS None.

The following voted in the affirmative:

Anderson	Fowler	Loughran Cappel	Stadelman
Aquino	Gillespie	Martwick	Stoller
Belt	Glowiak Hilton	McClure	Syverson
Bennett	Halpin	McConchie	Tracy
Bryant	Harris, N.	Morrison	Turner, D.
Castro	Harriss, E.	Murphy	Turner, S.
Cervantes	Hastings	Pacione-Zayas	Ventura
Cunningham	Holmes	Peters	Villa

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Curran	Hunter	Plummer	Villanueva
DeWitte	Johnson	Porfirio	Villivalam
Edly-Allen	Jones, E.	Preston	Wilcox
Ellman	Joyce	Rezin	Mr. President
Faraci	Koehler	Rose	
Feigenholtz	Lewis	Simmons	
Fine	Lightford	Sims	

This bill, having received the vote of a constitutional majority of the members elected, was declared passed, and all amendments not adopted were tabled pursuant to Senate Rule No. 5-4(a).

Ordered that the Secretary inform the House of Representatives thereof.

On motion of Senator Fine, **House Bill No. 2847** having been printed as received from the House of Representatives, together with all Senate Amendments adopted thereto, was taken up and read by title a third time.

And the question being, "Shall this bill pass?" it was decided in the affirmative by the following vote:

YEAS 57; NAYS None.

The following voted in the affirmative:

Anderson	Fine	Lightford	Sims
Aquino	Fowler	Loughran Cappel	Stadelman
Belt	Gillespie	Martwick	Stoller
Bennett	Glowiak Hilton	McClure	Tracy
Bryant	Halpin	McConchie	Turner, D.
Castro	Harris, N.	Morrison	Turner, S.
Cervantes	Harriss, E.	Murphy	Ventura
Chesney	Hastings	Pacione-Zayas	Villa
Cunningham	Holmes	Peters	Villanueva
Curran	Hunter	Plummer	Villivalam
DeWitte	Johnson	Porfirio	Wilcox
Edly-Allen	Jones, E.	Preston	Mr. President
Ellman	Joyce	Rezin	
Faraci	Koehler	Rose	
Feigenholtz	Lewis	Simmons	

This bill, having received the vote of a constitutional majority of the members elected, was declared passed, and all amendments not adopted were tabled pursuant to Senate Rule No. 5-4(a).

Ordered that the Secretary inform the House of Representatives thereof.

On motion of Senator Aquino, **House Bill No. 2948** having been printed as received from the House of Representatives, together with all Senate Amendments adopted thereto, was taken up and read by title a third time.

And the question being, "Shall this bill pass?" it was decided in the affirmative by the following vote:

YEAS 56; NAYS None.

The following voted in the affirmative:

Anderson	Fine	Lightford	Sims
Aquino	Fowler	Loughran Cappel	Stadelman
Belt	Gillespie	Martwick	Stoller
Bennett	Glowiak Hilton	McClure	Turner, D.
Bryant	Halpin	McConchie	Turner, S.
Castro	Harris, N.	Morrison	Ventura

Cervantes	Harriss, E.	Murphy	Villa
Chesney	Hastings	Pacione-Zayas	Villanueva
Cunningham	Holmes	Peters	Villivalam
Curran	Hunter	Plummer	Wilcox
DeWitte	Johnson	Porfirio	Mr. President
Edly-Allen	Jones, E.	Preston	
Ellman	Joyce	Rezin	
Faraci	Koehler	Rose	
Feigenholtz	Lewis	Simmons	

This bill, having received the vote of a constitutional majority of the members elected, was declared passed, and all amendments not adopted were tabled pursuant to Senate Rule No. 5-4(a).

Ordered that the Secretary inform the House of Representatives thereof.

On motion of Senator Anderson, **House Bill No. 3590** having been printed as received from the House of Representatives, together with all Senate Amendments adopted thereto, was taken up and read by title a third time.

And the question being, "Shall this bill pass?" it was decided in the affirmative by the following vote:

YEAS 58; NAYS None.

The following voted in the affirmative:

Anderson	Fine	Lightford	Sims
Aquino	Fowler	Loughran Cappel	Stadelman
Belt	Gillespie	Martwick	Stoller
Bennett	Glowiak Hilton	McClure	Syverson
Bryant	Halpin	McConchie	Tracy
Castro	Harris, N.	Morrison	Turner, D.
Cervantes	Harriss, E.	Murphy	Turner, S.
Chesney	Hastings	Pacione-Zayas	Ventura
Cunningham	Holmes	Peters	Villa
Curran	Hunter	Plummer	Villanueva
DeWitte	Johnson	Porfirio	Villivalam
Edly-Allen	Jones, E.	Preston	Wilcox
Ellman	Joyce	Rezin	Mr. President
Faraci	Koehler	Rose	
Feigenholtz	Lewis	Simmons	

This bill, having received the vote of a constitutional majority of the members elected, was declared passed, and all amendments not adopted were tabled pursuant to Senate Rule No. 5-4(a).

Ordered that the Secretary inform the House of Representatives thereof.

On motion of Senator Villivalam, **House Bill No. 3643** having been printed as received from the House of Representatives, together with all Senate Amendments adopted thereto, was taken up and read by title a third time.

And the question being, "Shall this bill pass?" it was decided in the affirmative by the following vote:

YEAS 39; NAYS 19.

The following voted in the affirmative:

Aquino	Gillespie	Koehler	Simmons
Belt	Glowiak Hilton	Lightford	Sims
Castro	Halpin	Loughran Cappel	Stadelman
Cervantes	Harris, N.	Martwick	Turner, D.

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Cunningham	Hastings	Morrison	Ventura
Edly-Allen	Holmes	Murphy	Villa
Ellman	Hunter	Pacione-Zayas	Villanueva
Faraci	Johnson	Peters	Villivalam
Feigenholtz	Jones, E.	Porfirio	Mr. President
Fine	Joyce	Preston	

The following voted in the negative:

Anderson	DeWitte	McConchie	Syverson
Bennett	Fowler	Plummer	Tracy
Bryant	Harriss, E.	Rezin	Turner, S.
Chesney	Lewis	Rose	Wilcox
Curran	McClure	Stoller	

This bill, having received the vote of a constitutional majority of the members elected, was declared passed, and all amendments not adopted were tabled pursuant to Senate Rule No. 5-4(a).

Ordered that the Secretary inform the House of Representatives thereof and ask their concurrence in the Senate Amendment adopted thereto.

HOUSE BILL RECALLED

On motion of Senator Hunter, **House Bill No. 3710** was recalled from the order of third reading to the order of second reading.

Senator Hunter offered the following amendment and moved its adoption:

AMENDMENT NO. 2 TO HOUSE BILL 3710

AMENDMENT NO. 2. Amend House Bill 3710, AS AMENDED, by replacing everything after the enacting clause with the following:

"Section 1. Short title. This Act may be cited as the Alternative Protein Innovation Task Force Act.

Section 5. Definitions. As used in this Act:

"Alternative proteins" means proteins created from plant-based, fermented, cell-cultured inputs and processes to create foods that share sensory characteristics with conventional meat and dairy.

"Cultivated meat" means meat that is produced in a bioreactor from animal cells using a cell cultivation process.

"Fermented protein" means a protein that is made from traditional fermentation, biomass fermentation, or precision fermentation.

"Plant-based protein" means a protein that is produced directly from a plant.

Section 10. Alternative Protein Innovation Task Force. The Alternative Protein Innovation Task Force is established for the purposes of investigating and studying alternative proteins to identify and evaluate possible opportunities that the protein innovation and the alternative protein industry offer in the State. The Task Force shall study and draft a report on how the State may best support the growing alternative protein industry in the State. The Task Force shall: (i) examine the potential economic development benefits and job creation potential of the plant-based protein, cultivated meat, and fermented protein industries in the State; (ii) identify the environmental impacts of alternative proteins and their supply chains; (iii) examine if alternative proteins can strengthen the State's food resilience; (iv) assess how alternative proteins may affect individual health, public health, and food security in the State; and (v) identify ways the State may foster the growth of the emerging alternative protein industry, including by reviewing past and present efforts made to support the broader biotech and life science industries.

Section 15. Membership; appointments; meeting.

(a) The Alternative Protein Innovation Task Force shall consist of the following members:

(1) one member of the Senate, who shall be appointed by the President of the Senate and shall serve as co-chair of the Task Force;

(2) one member of the Senate, who shall be appointed by the Minority Leader of the Senate;

(3) one member of the House of Representatives, who shall be appointed by the Speaker of the House of Representatives and shall serve as co-chair of the Task Force;

(4) one member of the House of Representatives, who shall be appointed by the Minority Leader of the House of Representatives;

(5) the Secretary of Commerce and Economic Opportunity or the Secretary's designee;

(6) the Director of Agriculture or the Director's designee;

(7) 5 members who are appointed by the Director of Agriculture. Of the members appointed by the Director of Agriculture, 3 members shall be commercial producers of agricultural commodities, of which one member shall be from the largest statewide agricultural association; and 2 members shall be representatives from the University of Illinois College of Agricultural, Consumer and Environmental Sciences engaged in nutritional research; and

(8) 6 members who are appointed by the Governor. Of the members appointed by the Governor, 2 members shall be engaged in academic or scientific research on alternative protein development at a State college or university; one member shall be a representative of a nonprofit organization dedicated to the development and accessibility of alternative proteins; one member shall be a representative of the State's agricultural biotechnology industry; one member shall be the president of the Illinois Biotechnology Industry Organization or the organization's designee; and one member shall be a representative from a multinational food processing and manufacturing corporation headquartered in this State.

(b) Members of the Task Force shall not receive compensation for their services to the Task Force.

(c) All appointments shall be made not later than 30 days after the effective date of this Act.

(d) The co-chairs of the Task Force shall schedule no fewer than 4 meetings of the Task Force, including not less than one public hearing. The co-chairs shall convene the first meeting of the Task Force within 60 days after the effective date of this Act.

Section 20. Report. The Task Force shall submit a report of its findings and recommendations to the General Assembly no later than December 31, 2023.

Section 99. Effective date. This Act takes effect upon becoming law."

The motion prevailed.

And the amendment was adopted and ordered printed.

There being no further amendments, the bill, as amended, was ordered to a third reading.

READING BILL FROM THE HOUSE OF REPRESENTATIVES A THIRD TIME

On motion of Senator Hunter, **House Bill No. 3710** having been printed as received from the House of Representatives, together with all Senate Amendments adopted thereto, was taken up and read by title a third time.

And the question being, "Shall this bill pass?" it was decided in the affirmative by the following vote:

YEAS 38; NAYS 17.

The following voted in the affirmative:

Aquino	Glowiak Hilton	Lightford	Sims
Belt	Halpin	Loughran Cappel	Stadelman
Castro	Harris, N.	Martwick	Turner, D.
Cervantes	Hastings	Morrison	Ventura
Cunningham	Holmes	Murphy	Villa
Edly-Allen	Hunter	Pacione-Zayas	Villanueva
Ellman	Johnson	Peters	Villivalam

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Feigenholtz	Jones, E.	Porfirio	Mr. President
Fine	Joyce	Preston	
Gillespie	Koehler	Simmons	

The following voted in the negative:

Anderson	Fowler	Plummer	Turner, S.
Bennett	Harriss, E.	Rose	Wilcox
Bryant	Lewis	Stoller	
Chesney	McClure	Syverson	
Curran	McConchie	Tracy	

This bill, having received the vote of a constitutional majority of the members elected, was declared passed, and all amendments not adopted were tabled pursuant to Senate Rule No. 5-4(a).

Ordered that the Secretary inform the House of Representatives thereof and ask their concurrence in the Senate Amendments adopted thereto.

Senator Bryant asked and obtained unanimous consent for the Journal to reflect her intention to have voted in the negative on **House Bill No. 3710**.

HOUSE BILL RECALLED

On motion of Senator Edly-Allen, **House Bill No. 3751** was recalled from the order of third reading to the order of second reading.

Senator Edly-Allen offered the following amendment and moved its adoption:

AMENDMENT NO. 1 TO HOUSE BILL 3751

AMENDMENT NO. 1. Amend House Bill 3751 by replacing everything after the enacting clause with the following:

"Section 3. The Counties Code is amended by changing Sections 3-6033 and 3-7008 as follows:

(55 ILCS 5/3-6033) (from Ch. 34, par. 3-6033)

Sec. 3-6033. Citizenship and residence. ~~The~~ ~~It is unlawful for the sheriff of any county of fewer than 1,000,000 inhabitants, or the corporate authorities of any municipality may city, town or village to~~ authorize, empower, employ, or permit a ~~any~~ person to act as deputy sheriff or special policeman for the purpose of preserving the peace; who is ~~not~~ a citizen of the United States, who is legally authorized under federal law to work in the United States and is authorized under federal law to obtain, carry, or purchase or otherwise possess a firearm, or who is an individual against whom immigration action has been deferred by the U.S. Citizenship and Immigration Services under the federal Deferred Action for Childhood Arrivals (DACA) process and is authorized under federal law to obtain, carry, or purchase or otherwise possess a firearm.

(Source: P.A. 86-962; 87-357.)

(55 ILCS 5/3-7008) (from Ch. 34, par. 3-7008)

Sec. 3-7008. Appointments. The appointment of deputy sheriffs in the Police Department, full-time deputy sheriffs not employed as county police officers or county corrections officers and of employees in the Department of Corrections shall be made from those applicants who have been certified by the Board as being qualified for appointment. Certification for appointment in one department shall not constitute certification for appointment in another department. Certification may be made at any point prior to appointment and may be made in conjunction with the Sheriff's application process. All persons so appointed shall, at the time of their appointment, be not less than 21 years of age, or 20 years of age and have successfully completed 2 years of law enforcement studies at an accredited college or university. Any person appointed subsequent to successful completion of 2 years of such law enforcement studies shall not have power of arrest, nor shall he or she be permitted to carry firearms, until he or she reaches 21 years of age. Any person appointed shall be a citizen of the United States, an individual who is legally authorized to work in the United States under federal law and is authorized under federal law to obtain, carry, or purchase or otherwise possess a firearm, or an individual against whom immigration action has been deferred by the

U.S. Citizenship and Immigration Services under the federal Deferred Action for Childhood Arrivals (DACA) process and who is authorized under federal law to obtain, carry, or purchase or otherwise possess a firearm. In addition, all persons so appointed shall be not more than the maximum age limit fixed by the Board from time to time, be of sound mind and body, be of good moral character, ~~be citizens of the United States,~~ have not been convicted of a crime which the Board considers to be detrimental to the applicant's ability to carry out his or her duties, possess such prerequisites of training, education and experience as the Board may from time to time prescribe, and shall be required to pass successfully mental, physical, psychiatric and other tests and examinations as may be prescribed by the Board. Preference shall be given in such appointments to persons who have honorably served in the military or naval services of the United States. All appointees shall serve a probationary period of 12 months and during that period may be discharged at the will of the Sheriff. However, civil service employees of the house of correction who have certified status at the time of the transfer of the house of correction to the County Department of Corrections are not subject to this probationary period, and they shall retain their job titles, such tenure privileges as are now enjoyed and any subsequent title changes shall not cause reduction in rank or elimination of positions. (Source: P.A. 100-912, eff. 8-17-18.)

Section 5. The Illinois Municipal Code is amended by changing Sections 10-1-7 and 10-2.1-6 as follows:

(65 ILCS 5/10-1-7) (from Ch. 24, par. 10-1-7)

Sec. 10-1-7. Examination of applicants; disqualifications.

(a) All applicants for offices or places in the classified service, except those mentioned in Section 10-1-17, are subject to examination. The examination shall be public, competitive, and open to all citizens of the United States, with specified limitations as to residence, age, health, habits, and moral character. An individual who is not a citizen but is legally authorized to work in the United States under federal law or is an individual against whom immigration action has been deferred by the U.S. Citizenship and Immigration Services under the federal Deferred Action for Childhood Arrivals (DACA) process is authorized to apply for the position of police officer, subject to (i) all requirements and limitations, other than citizenship, to which other applicants are subject and (ii) the individual being authorized under federal law to obtain, carry, or purchase or otherwise possess a firearm.

(b) Residency requirements in effect at the time an individual enters the fire or police service of a municipality (other than a municipality that has more than 1,000,000 inhabitants) cannot be made more restrictive for that individual during his or her period of service for that municipality, or be made a condition of promotion, except for the rank or position of Fire or Police Chief.

(c) No person with a record of misdemeanor convictions except those under Sections 11-1.50, 11-6, 11-7, 11-9, 11-14, 11-15, 11-17, 11-18, 11-19, 11-30, 11-35, 12-2, 12-6, 12-15, 14-4, 16-1, 21.1-3, 24-3.1, 24-5, 25-1, 28-3, 31-1, 31-4, 31-6, 31-7, 32-1, 32-2, 32-3, 32-4, and 32-8, subdivisions (a)(1) and (a)(2)(C) of Section 11-14.3, and paragraphs (1), (6), and (8) of subsection (a) of Section 24-1 of the Criminal Code of 1961 or the Criminal Code of 2012 or arrested for any cause but not convicted on that cause shall be disqualified from taking the examination on grounds of habits or moral character, unless the person is attempting to qualify for a position on the police department, in which case the conviction or arrest may be considered as a factor in determining the person's habits or moral character.

(d) Persons entitled to military preference under Section 10-1-16 shall not be subject to limitations specifying age unless they are applicants for a position as a fireman or a policeman having no previous employment status as a fireman or policeman in the regularly constituted fire or police department of the municipality, in which case they must not have attained their 35th birthday, except any person who has served as an auxiliary police officer under Section 3.1-30-20 for at least 5 years and is under 40 years of age.

(e) All employees of a municipality of less than 500,000 population (except those who would be excluded from the classified service as provided in this Division 1) who are holding that employment as of the date a municipality adopts this Division 1, or as of July 17, 1959, whichever date is the later, and who have held that employment for at least 2 years immediately before that later date, and all firemen and policemen regardless of length of service who were either appointed to their respective positions by the board of fire and police commissioners under the provisions of Division 2 of this Article or who are serving in a position (except as a temporary employee) in the fire or police department in the municipality on the date a municipality adopts this Division 1, or as of July 17, 1959, whichever date is the later, shall become members of the classified civil service of the municipality without examination.

(f) The examinations shall be practical in their character, and shall relate to those matters that will fairly test the relative capacity of the persons examined to discharge the duties of the positions to which they seek to be appointed. The examinations shall include tests of physical qualifications, health, and (when appropriate) manual skill. If an applicant is unable to pass the physical examination solely as the result of an injury received by the applicant as the result of the performance of an act of duty while working as a temporary employee in the position for which he or she is being examined, however, the physical examination shall be waived and the applicant shall be considered to have passed the examination. No questions in any examination shall relate to political or religious opinions or affiliations. Results of examinations and the eligible registers prepared from the results shall be published by the commission within 60 days after any examinations are held.

(g) The commission shall control all examinations, and may, whenever an examination is to take place, designate a suitable number of persons, either in or not in the official service of the municipality, to be examiners. The examiners shall conduct the examinations as directed by the commission and shall make a return or report of the examinations to the commission. If the appointed examiners are in the official service of the municipality, the examiners shall not receive extra compensation for conducting the examinations unless the examiners are subject to a collective bargaining agreement with the municipality. The commission may at any time substitute any other person, whether or not in the service of the municipality, in the place of any one selected as an examiner. The commission members may themselves at any time act as examiners without appointing examiners. The examiners at any examination shall not all be members of the same political party.

(h) In municipalities of 500,000 or more population, no person who has attained his or her 35th birthday shall be eligible to take an examination for a position as a fireman or a policeman unless the person has had previous employment status as a policeman or fireman in the regularly constituted police or fire department of the municipality, except as provided in this Section.

(i) In municipalities of more than 5,000 but not more than 200,000 inhabitants, no person who has attained his or her 35th birthday shall be eligible to take an examination for a position as a fireman or a policeman unless the person has had previous employment status as a policeman or fireman in the regularly constituted police or fire department of the municipality, except as provided in this Section.

(j) In all municipalities, applicants who are 20 years of age and who have successfully completed 2 years of law enforcement studies at an accredited college or university may be considered for appointment to active duty with the police department. An applicant described in this subsection (j) who is appointed to active duty shall not have power of arrest, nor shall the applicant be permitted to carry firearms, until he or she reaches 21 years of age.

(k) In municipalities of more than 500,000 population, applications for examination for and appointment to positions as firefighters or police shall be made available at various branches of the public library of the municipality.

(l) No municipality having a population less than 1,000,000 shall require that any fireman appointed to the lowest rank serve a probationary employment period of longer than one year. The limitation on periods of probationary employment provided in Public Act 86-990 is an exclusive power and function of the State. Pursuant to subsection (h) of Section 6 of Article VII of the Illinois Constitution, a home rule municipality having a population less than 1,000,000 must comply with this limitation on periods of probationary employment, which is a denial and limitation of home rule powers. Notwithstanding anything to the contrary in this Section, the probationary employment period limitation may be extended for a firefighter who is required, as a condition of employment, to be a licensed paramedic, during which time the sole reason that a firefighter may be discharged without a hearing is for failing to meet the requirements for paramedic licensure.

(m) To the extent that this Section or any other Section in this Division conflicts with Section 10-1-7.1 or 10-1-7.2, then Section 10-1-7.1 or 10-1-7.2 shall control.

(Source: P.A. 102-813, eff. 5-13-22.)

(65 ILCS 5/10-2.1-6) (from Ch. 24, par. 10-2.1-6)

Sec. 10-2.1-6. Examination of applicants; disqualifications.

(a) All applicants for a position in either the fire or police department of the municipality shall be under 35 years of age, shall be subject to an examination that shall be public, competitive, and open to all applicants (unless the council or board of trustees by ordinance limit applicants to electors of the municipality, county, state, or nation) and shall be subject to reasonable limitations as to residence, health, habits, and moral character. An individual who is not a citizen but is legally authorized to work in the United

States under federal law or is an individual against whom immigration action has been deferred by the U.S. Citizenship and Immigration Services under the federal Deferred Action for Childhood Arrivals (DACA) process is authorized to apply for the position of police officer, subject to (i) all requirements and limitations, other than citizenship, to which other applicants are subject and (ii) the individual being authorized under federal law to obtain, carry, or purchase or otherwise possess a firearm. The municipality may not charge or collect any fee from an applicant who has met all prequalification standards established by the municipality for any such position. With respect to a police department, a veteran shall be allowed to exceed the maximum age provision of this Section by the number of years served on active military duty, but by no more than 10 years of active military duty.

(b) Residency requirements in effect at the time an individual enters the fire or police service of a municipality (other than a municipality that has more than 1,000,000 inhabitants) cannot be made more restrictive for that individual during his period of service for that municipality, or be made a condition of promotion, except for the rank or position of Fire or Police Chief.

(c) No person with a record of misdemeanor convictions except those under Sections 11-1.50, 11-6, 11-7, 11-9, 11-14, 11-15, 11-17, 11-18, 11-19, 11-30, 11-35, 12-2, 12-6, 12-15, 14-4, 16-1, 21.1-3, 24-3.1, 24-5, 25-1, 28-3, 31-1, 31-4, 31-6, 31-7, 32-1, 32-2, 32-3, 32-4, and 32-8, subdivisions (a)(1) and (a)(2)(C) of Section 11-14.3, and paragraphs (1), (6), and (8) of subsection (a) of Section 24-1 of the Criminal Code of 1961 or the Criminal Code of 2012, or arrested for any cause but not convicted on that cause shall be disqualified from taking the examination to qualify for a position in the fire department on grounds of habits or moral character.

(d) The age limitation in subsection (a) does not apply (i) to any person previously employed as a policeman or fireman in a regularly constituted police or fire department of (I) any municipality, regardless of whether the municipality is located in Illinois or in another state, or (II) a fire protection district whose obligations were assumed by a municipality under Section 21 of the Fire Protection District Act, (ii) to any person who has served a municipality as a regularly enrolled volunteer fireman for 5 years immediately preceding the time that municipality begins to use full time firemen to provide all or part of its fire protection service, or (iii) to any person who has served as an auxiliary police officer under Section 3.1-30-20 for at least 5 years and is under 40 years of age, (iv) to any person who has served as a deputy under Section 3-6008 of the Counties Code and otherwise meets necessary training requirements, or (v) to any person who has served as a sworn officer as a member of the Illinois State Police.

(e) Applicants who are 20 years of age and who have successfully completed 2 years of law enforcement studies at an accredited college or university may be considered for appointment to active duty with the police department. An applicant described in this subsection (e) who is appointed to active duty shall not have power of arrest, nor shall the applicant be permitted to carry firearms, until he or she reaches 21 years of age.

(f) Applicants who are 18 years of age and who have successfully completed 2 years of study in fire techniques, amounting to a total of 4 high school credits, within the cadet program of a municipality may be considered for appointment to active duty with the fire department of any municipality.

(g) The council or board of trustees may by ordinance provide that persons residing outside the municipality are eligible to take the examination.

(h) The examinations shall be practical in character and relate to those matters that will fairly test the capacity of the persons examined to discharge the duties of the positions to which they seek appointment. No person shall be appointed to the police or fire department if he or she does not possess a high school diploma or an equivalent high school education. A board of fire and police commissioners may, by its rules, require police applicants to have obtained an associate's degree or a bachelor's degree as a prerequisite for employment. The examinations shall include tests of physical qualifications and health. A board of fire and police commissioners may, by its rules, waive portions of the required examination for police applicants who have previously been full-time sworn officers of a regular police department in any municipal, county, university, or State law enforcement agency, provided they are certified by the Illinois Law Enforcement Training Standards Board and have been with their respective law enforcement agency within the State for at least 2 years. No person shall be appointed to the police or fire department if he or she has suffered the amputation of any limb unless the applicant's duties will be only clerical or as a radio operator. No applicant shall be examined concerning his or her political or religious opinions or affiliations. The examinations shall be conducted by the board of fire and police commissioners of the municipality as provided in this Division 2.1.

The requirement that a police applicant possess an associate's degree under this subsection may be waived if one or more of the following applies: (1) the applicant has served for 24 months of honorable active duty in the United States Armed Forces and has not been discharged dishonorably or under circumstances other than honorable; (2) the applicant has served for 180 days of active duty in the United States Armed Forces in combat duty recognized by the Department of Defense and has not been discharged dishonorably or under circumstances other than honorable; or (3) the applicant has successfully received credit for a minimum of 60 credit hours toward a bachelor's degree from an accredited college or university.

The requirement that a police applicant possess a bachelor's degree under this subsection may be waived if one or more of the following applies: (1) the applicant has served for 36 months of honorable active duty in the United States Armed Forces and has not been discharged dishonorably or under circumstances other than honorable or (2) the applicant has served for 180 days of active duty in the United States Armed Forces in combat duty recognized by the Department of Defense and has not been discharged dishonorably or under circumstances other than honorable.

(i) No person who is classified by his local selective service draft board as a conscientious objector, or who has ever been so classified, may be appointed to the police department.

(j) No person shall be appointed to the police or fire department unless he or she is a person of good character and not an habitual drunkard, gambler, or a person who has been convicted of a felony or a crime involving moral turpitude. No person, however, shall be disqualified from appointment to the fire department because of his or her record of misdemeanor convictions except those under Sections 11-1.50, 11-6, 11-7, 11-9, 11-14, 11-15, 11-17, 11-18, 11-19, 11-30, 11-35, 12-2, 12-6, 12-15, 14-4, 16-1, 21.1-3, 24-3.1, 24-5, 25-1, 28-3, 31-1, 31-4, 31-6, 31-7, 32-1, 32-2, 32-3, 32-4, and 32-8, subdivisions (a)(1) and (a)(2)(C) of Section 11-14.3, and paragraphs (1), (6), and (8) of subsection (a) of Section 24-1 of the Criminal Code of 1961 or the Criminal Code of 2012, or arrest for any cause without conviction on that cause. Any such person who is in the department may be removed on charges brought and after a trial as provided in this Division 2.1.

(Source: P.A. 102-538, eff. 8-20-21; 102-813, eff. 5-13-22.)

Section 99. Effective date. This Act takes effect January 1, 2024."

The motion prevailed.

And the amendment was adopted and ordered printed.

Floor Amendment No. 2 was withdrawn by the sponsor.

There being no further amendments, the bill, as amended, was ordered to a third reading.

READING BILLS FROM THE HOUSE OF REPRESENTATIVES A THIRD TIME

On motion of Senator Edly-Allen, **House Bill No. 3751** having been printed as received from the House of Representatives, together with all Senate Amendments adopted thereto, was taken up and read by title a third time.

And the question being, "Shall this bill pass?" it was decided in the affirmative by the following vote:

YEAS 37; NAYS 20.

The following voted in the affirmative:

Aquino	Glowiak Hilton	Loughran Cappel	Stadelman
Belt	Halpin	Martwick	Turner, D.
Castro	Harris, N.	McConchie	Ventura
Cervantes	Hastings	Morrison	Villa
Cunningham	Holmes	Murphy	Villanueva
Edly-Allen	Hunter	Pacione-Zayas	Villivalam
Ellman	Johnson	Peters	Mr. President
Faraci	Jones, E.	Porfrio	
Fine	Koehler	Simmons	
Gillespie	Lightford	Sims	

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The following voted in the negative:

Anderson	Fowler	Preston	Turner, S.
Bennett	Harriss, E.	Rezin	Wilcox
Bryant	Joyce	Rose	
Chesney	Lewis	Stoller	
Curran	McClure	Syverson	
DeWitte	Plummer	Tracy	

This bill, having received the vote of a constitutional majority of the members elected, was declared passed, and all amendments not adopted were tabled pursuant to Senate Rule No. 5-4(a).

Ordered that the Secretary inform the House of Representatives thereof and ask their concurrence in the Senate Amendment adopted thereto.

Senator Feigenholtz asked and obtained unanimous consent for the Journal to reflect her intention to have voted in the affirmative on **House Bill No. 3751**.

On motion of Senator Ellman, **House Bill No. 3924** having been printed as received from the House of Representatives, together with all Senate Amendments adopted thereto, was taken up and read by title a third time.

And the question being, "Shall this bill pass?" it was decided in the affirmative by the following vote:

YEAS 58; NAYS None.

The following voted in the affirmative:

Anderson	Fine	Lightford	Sims
Aquino	Fowler	Loughran Cappel	Stadelman
Belt	Gillespie	Martwick	Stoller
Bennett	Glowiak Hilton	McClure	Syverson
Bryant	Halpin	McConchie	Tracy
Castro	Harris, N.	Morrison	Turner, D.
Cervantes	Harriss, E.	Murphy	Turner, S.
Chesney	Hastings	Pacione-Zayas	Ventura
Cunningham	Holmes	Peters	Villa
Curran	Hunter	Plummer	Villanueva
DeWitte	Johnson	Porfirio	Villivalam
Edly-Allen	Jones, E.	Preston	Wilcox
Ellman	Joyce	Rezin	Mr. President
Faraci	Koehler	Rose	
Feigenholtz	Lewis	Simmons	

This bill, having received the vote of a constitutional majority of the members elected, was declared passed, and all amendments not adopted were tabled pursuant to Senate Rule No. 5-4(a).

Ordered that the Secretary inform the House of Representatives thereof.

At the hour of 3:20 o'clock p.m., the Chair announced that the Senate stands at ease.

AT EASE

At the hour of 3:33 o'clock p.m., the Senate resumed consideration of business.

Senator Holmes, presiding.

REPORTS FROM COMMITTEE ON ASSIGNMENTS

Senator Lightford, Chair of the Committee on Assignments, during its May 18, 2023 meeting, reported the following Legislative Measures have been assigned to the indicated Standing Committees of the Senate:

Executive: **House Bills Numbered 1119, 2493, 2875 and 3720; Floor Amendment No. 4 to House Bill 2450; Floor Amendment No. 2 to House Bill 2858; Floor Amendment No. 3 to House Bill 2858; Floor Amendment No. 1 to House Bill 3062; Floor Amendment No. 2 to House Bill 3062; Floor Amendment No. 1 to House Bill 3808; Motion to Concur in House Amendment No. 1 to Senate Bill 58, Motion to Concur in House Amendment No. 2 to Senate Bill 58, Motion to Concur in House Amendment No. 3 to Senate Bill 58, Motion to Concur in House Amendment No. 1 to Senate Bill 1352, Motion to Concur in House Amendment No. 2 to Senate Bill 1665, Motion to Concur in House Amendment No. 3 to Senate Bill 1710 and Motion to Concur in House Amendment No. 1 to Senate Bill 1872.**

State Government: **House Bill No. 301; Senate Resolutions Numbered 241, 294 and 304; House Joint Resolution No. 30; Floor Amendment No. 1 to House Bill 1076; Floor Amendment No. 3 to House Bill 3566; Floor Amendment No. 2 to House Bill 3743; Motion to Concur in House Amendment No. 1 to Senate Bill 74, Motion to Concur in House Amendment No. 2 to Senate Bill 74, Motion to Concur in House Amendment No. 3 to Senate Bill 74, Motion to Concur in House Amendment No. 3 to Senate Bill 684, Motion to Concur in House Amendment No. 2 to Senate Bill 1235, Motion to Concur in House Amendment No. 1 to Senate Bill 1555, Motion to Concur in House Amendment No. 1 to Senate Bill 1629, Motion to Concur in House Amendment No. 2 to Senate Bill 1754 and Motion to Concur in House Amendment No. 1 to Senate Bill 2039.**

Senator Lightford, Chair of the Committee on Assignments, during its May 18, 2023 meeting, reported that the Committee recommends that **Senate Resolution No. 266** be re-referred from the Committee on Agriculture to the Committee on Assignments.

Senator Lightford, Chair of the Committee on Assignments, during its May 18, 2023 meeting, to which was referred **Senate Bill No. 376** on May 11, 2023, pursuant to Rule 3-9(a), reported that the Committee recommends that the bill be approved for consideration and returned to the calendar in its former position.

The report of the Committee was concurred in.

And **Senate Bill No. 376** was returned to the order of third reading.

Pursuant to Senate Rule 3-8 (b-1), the following amendment will remain in the Committee on Assignments: **Floor Amendment No. 1 to House Bill 779.**

Senator Lightford, Chair of the Committee on Assignments, during its May 18, 2023 meeting, reported that the following Legislative Measure has been approved for consideration:

Senate Resolution No. 266

The foregoing resolution was placed on the Senate Calendar.

MESSAGES FROM THE HOUSE

A message from the House by

Mr. Hollman, Clerk:

Mr. President -- I am directed to inform the Senate that the House of Representatives has adopted the following joint resolution, in the adoption of which I am instructed to ask the concurrence of the Senate, to-wit:

HOUSE JOINT RESOLUTION NO. 28

[May 18, 2023]

WHEREAS, It is highly fitting that the Illinois General Assembly pays honor and respect to individuals who have given their lives in service to their communities; and

WHEREAS, Wayne County Sheriff's Deputy Sean Riley was killed in the line of duty on December 29, 2021; and

WHEREAS, Deputy Riley was born to Doug and Mary Jo (Hill) Riley on November 5, 1983; he married Leslie Young on August 11, 2007; and

WHEREAS, Deputy Riley was a three-year veteran of the Wayne County Sheriff's Department, where he served as both a corrections officer and patrol deputy; and

WHEREAS, Deputy Riley was preceded in death by his mother, Mary Jo Riley; and

WHEREAS, At the time of his passing, Deputy Riley was survived by his wife, Leslie; his children, Logan Brown, Deegan Riley, and Mia Jo Riley; his father, Doug Riley; his sister, Spring (Darrin) Bonney; his mother-in-law, Glenda Young; his sister-in-law, Glenna (Jim) Michael; and several aunts, uncles, cousins, and a special aunt, Margaret (Joe) Molt; therefore, be it

RESOLVED, BY THE HOUSE OF REPRESENTATIVES OF THE ONE HUNDRED THIRD GENERAL ASSEMBLY OF THE STATE OF ILLINOIS, THE SENATE CONCURRING HEREIN, that we designate Interstate 64 in Wayne County from Mile Post 112 to 116 as the "Deputy Sean Riley Memorial Highway"; and be it further

RESOLVED, That the Illinois Department of Transportation is requested to erect at suitable locations, consistent with State and federal regulations, appropriate plaques or signs giving notice of the name "Deputy Sean Riley Memorial Highway"; and be it further

RESOLVED, That suitable copies of this resolution be presented to the family of Deputy Riley and the Secretary of Transportation.

Adopted by the House, May 18, 2023.

JOHN W. HOLLMAN, Clerk of the House

The foregoing message from the House of Representatives reporting House Joint Resolution No. 28 was referred to the Committee on Assignments.

A message from the House by
Mr. Hollman, Clerk:

Mr. President -- I am directed to inform the Senate that the House of Representatives has adopted the following joint resolution, in the adoption of which I am instructed to ask the concurrence of the Senate, to-wit:

HOUSE JOINT RESOLUTION NO. 33

WHEREAS, It is highly fitting that the Illinois General Assembly pays honor and respect to those individuals who have given their lives in service to their communities; and

WHEREAS, On October 4, 2021, DEA Special Agent Michael Gale "Mike" Garbo died while in the line of duty as a result of injuries sustained during a shooting in downtown Tucson, Arizona; and

WHEREAS, Special Agent Garbo was born in Grayville to Carol Ann (Young) Garbo and Larry Garbo on February 10, 1970; he graduated from Grayville High School in 1988 and Eastern Illinois University; he served with the U.S. Army National Guard; he resided in Sahuarita, Arizona at the time of his passing; and

WHEREAS, Special Agent Garbo was inspired by his late father, an Illinois State Police captain, and pursued a career in law enforcement; he was a former police officer for the Metro Nashville Police Department; he was currently serving as a special agent of the Drug Enforcement Administration (DEA)

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based in Tucson, Arizona, a position he held since 2005; with unmatched talent, knowledge, dignity, and bravery, he dedicated his life's work to combating drug traffickers, spanning from Kabul, Afghanistan to various locations across the United States; and

WHEREAS, Special Agent Garbo was a dedicated father and husband who devoted his life to serving and caring for others; he enjoyed practicing Jiu Jitsu and martial arts, spending time with his family, and watching his daughter succeed in every aspect of her life; and

WHEREAS, Special Agent Garbo was preceded in death by his parents and his special grandmother, Betty Garbo; and

WHEREAS, At the time of his passing, Special Agent Garbo was survived by his wife, Vida Mary Garbo; his daughter, Alexis Garbo; his niece and goddaughter, Kennedy Valinevicius; his brother, Terry Garbo; and many other loved ones; therefore, be it

RESOLVED, BY THE HOUSE OF REPRESENTATIVES OF THE ONE HUNDRED THIRD GENERAL ASSEMBLY OF THE STATE OF ILLINOIS, THE SENATE CONCURRING HEREIN, that we designate the section of Interstate 64 between mile marker 128 and 132 as the "DEA Special Agent Michael Garbo Memorial Highway"; and be it further

RESOLVED, That the Illinois Department of Transportation is requested to erect at suitable locations, consistent with State and federal regulations, appropriate plaques or signs giving notice of the name "DEA Special Agent Michael Garbo Memorial Highway"; and be it further

RESOLVED, That suitable copies of this resolution be presented to the family of Special Agent Garbo and the Secretary of Transportation.

Adopted by the House, May 18, 2023.

JOHN W. HOLLMAN, Clerk of the House

The foregoing message from the House of Representatives reporting House Joint Resolution No. 33 was referred to the Committee on Assignments.

A message from the House by

Mr. Hollman, Clerk:

Mr. President -- I am directed to inform the Senate that the House of Representatives has adopted the following joint resolution, in the adoption of which I am instructed to ask the concurrence of the Senate, to-wit:

HOUSE JOINT RESOLUTION NO. 34

WHEREAS, It is highly fitting that the Illinois General Assembly pays honor and respect to the truly great individuals who have served our State and, in doing so, have made the ultimate sacrifice for our safety; and

WHEREAS, Lt. Bruce A. Williams was born to Melvin and Etherlyn Williams in St. Elmo on May 29, 1961, the youngest of three children; and

WHEREAS, Lt. Williams graduated from St Elmo High School in 1979 and was a dedicated athlete, participating in football, basketball, and track; he was in the National Honor Society and the Industrial Art Club; and

WHEREAS, Lt. Williams met his wife, Kathy, while stationed in Pensacola, Florida and was the father of four children, Keith, Wyatt, Kelsey, and Logan; and

WHEREAS, In addition to serving in the U.S. Navy in Pensacola and China Lake, Lt. Williams served in the Persian Gulf during Operation Desert Storm as assistant to the commander of Mideast forces; and

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WHEREAS, Lt. Williams, Lt. Daniel F. Mondon, AET-3 Agustin Benitez-Rodriguez, AMS3 Michael S. Monaghan, and ADAN Dalyn Wyatt lost their lives when their SAR HH-1N Huey struck a wire and crashed in California's Sequoia National Forest on February 18, 1998; and

WHEREAS, At the time of his death, Lt. Williams was survived by his parents, his wife, four children, his sister, Kay Roach, and his brother, David Williams; and

WHEREAS, A memorial service for Lt. Williams and the four other service members killed was held in the All Faith Chapel at Naval Air Weapons Station China Lake; therefore, be it

RESOLVED, BY THE HOUSE OF REPRESENTATIVES OF THE ONE HUNDRED THIRD GENERAL ASSEMBLY OF THE STATE OF ILLINOIS, THE SENATE CONCURRING HEREIN, that we designate the section of U.S. Route 40 from its intersection with Illinois Route 128 south to its intersection with North 1800 Street (Avena Road) as the "Lt. Bruce A. Williams Memorial Highway"; and be it further

RESOLVED, That the Illinois Department of Transportation is requested to erect at suitable locations, consistent with State and federal regulations, appropriate plaques or signs giving notice of the name of the "Lt. Bruce A. Williams Memorial Highway"; and be it further

RESOLVED, That suitable copies of this resolution be presented to the family of Lt. Williams, the City of St. Elmo, and the Secretary of the Illinois Department of Transportation.

Adopted by the House, May 18, 2023.

JOHN W. HOLLMAN, Clerk of the House

The foregoing message from the House of Representatives reporting House Joint Resolution No. 34 was referred to the Committee on Assignments.

A message from the House by

Mr. Hollman, Clerk:

Mr. President -- I am directed to inform the Senate that the House of Representatives has concurred with the Senate in the passage of a bill of the following title, to-wit:

SENATE BILL NO. 1291

A bill for AN ACT concerning civil law.

Together with the following amendment which is attached, in the adoption of which I am instructed to ask the concurrence of the Senate, to-wit:

House Amendment No. 2 to SENATE BILL NO. 1291

Passed the House, as amended, May 18, 2023.

JOHN W. HOLLMAN, Clerk of the House

AMENDMENT NO. 2 TO SENATE BILL 1291

AMENDMENT NO. 2. Amend Senate Bill 1291 by replacing everything after the enacting clause with the following:

"Section 5. The Illinois Public Aid Code is amended by changing Section 12-12 as follows:

(305 ILCS 5/12-12) (from Ch. 23, par. 12-12)

Sec. 12-12. Collection of claims; enforcement of penalty provisions.

(a) The Illinois Department shall pursue the legal procedure necessary to collect the claims and enforce the penalty provisions provided in any Section or Article of this Code relative to applicants and recipients of public aid. The Attorney General, at the request of the Illinois Department, shall take the necessary proceedings and represent the Illinois Department in any matter arising in connection with such claims or enforcement of penalty provisions.

(b) In matters concerning the recovery of overpayments for benefits provided by the Department of Human Services, the Department shall send a recipient written notice and a demand for payment of any amount in overpaid benefits owed within 5 years after the Department's right to collect the overpayment first accrued. The Department of Human Services shall issue such notice by certified mail to the recipient's last

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known mailing address. Actions brought under this subsection by the Attorney General for the recovery of overpayments shall be commenced within 10 years after the date upon which such notice was sent. (Source: P.A. 81-1085.)".

Under the rules, the foregoing **Senate Bill No. 1291**, with House Amendment No. 2, was referred to the Secretary's Desk.

A message from the House by
Mr. Hollman, Clerk:

Mr. President -- I am directed to inform the Senate that the House of Representatives has concurred with the Senate in the passage of a bill of the following title, to-wit:

SENATE BILL NO. 1675

A bill for AN ACT concerning revenue.

Together with the following amendments which are attached, in the adoption of which I am instructed to ask the concurrence of the Senate, to-wit:

House Amendment No. 1 to SENATE BILL NO. 1675

House Amendment No. 2 to SENATE BILL NO. 1675

Passed the House, as amended, May 18, 2023.

JOHN W. HOLLMAN, Clerk of the House

AMENDMENT NO. 1 TO SENATE BILL 1675

AMENDMENT NO. 1. Amend Senate Bill 1675 by replacing everything after the enacting clause with the following:

"Section 5. The Property Tax Code is amended by changing Sections 9-260, 18-250, 21-15, 21-25, 21-45, 21-90, 21-118, 21-145, 21-225, 21-235, 21-240, 21-250, 21-310, 21-315, 21-330, 21-350, 21-355, 21-370, 21-385, 21-400, 21-405, 21-430, 22-5, 22-10, 22-15, 22-25, 22-30, 22-35, 22-40, and 22-60 as follows:

(35 ILCS 200/9-260)

Sec. 9-260. Assessment of omitted property; counties of 3,000,000 or more.

(a) After signing the affidavit, the county assessor shall have power, when directed by the board of appeals (until the first Monday in December 1998 and the board of review beginning the first Monday in December 1998 and thereafter), or on his or her own initiative, subject to the limitations of Sections 9-265 and 9-270, to assess properties which may have been omitted from assessments for the current year and not more than 3 years prior to the current year for which the property was liable to be taxed, and for which the tax has not been paid, but only on notice and an opportunity to be heard in the manner and form required by law, and shall enter the assessments upon the assessment books. Any notice shall include (i) a request that a person receiving the notice who is not the current taxpayer contact the office of the county assessor and explain that the person is not the current taxpayer, which contact may be made on the telephone, in writing, or in person upon receipt of the notice, and (ii) the name, address, and telephone number of the appropriate personnel in the office of the county assessor to whom the response should be made. Any time period for the review of an omitted assessment included in the notice shall be consistent with the time period established by the assessor in accordance with subsection (a) of Section 12-55. No charge for tax of previous years shall be made against any property if (1) the assessor failed to notify the board of review of the omitted assessment in accordance with subsection (a-1) of this Section; (2) the property was last assessed as unimproved, the owner of such property gave notice of subsequent improvements and requested a reassessment as required by Section 9-180, and reassessment of the property was not made within the ~~16-month~~ ~~16-month~~ period immediately following the receipt of that notice; (3) the owner of the property gave notice as required by Section 9-265; (4) the assessor received a building permit for the property evidencing that new construction had occurred or was occurring on the property but failed to list the improvement on the tax rolls; (5) the assessor received a plat map, plat of survey, ALTA survey, mortgage survey, or other similar document containing the omitted property but failed to list the improvement on the tax rolls; (6) the assessor received a real estate transfer declaration indicating a sale from an exempt property owner to a non-exempt property owner but failed to list the property on the tax rolls; or (7) the property was the subject of an assessment appeal before the assessor or the board of review that had included the intended omitted property as part of the assessment appeal and provided evidence of its market value.

[May 18, 2023]

(a-1) After providing notice and an opportunity to be heard as required by subsection (a) of this Section, the assessor shall render a decision on the omitted assessment, whether or not the omitted assessment was contested, and shall mail a notice of the decision to the taxpayer of record or to the party that contested the omitted assessment. The notice of decision shall contain a statement that the decision may be appealed to the board of review. The decision and all evidence used in the decision shall be transmitted by the assessor to the board of review on or before the dates specified in accordance with Section 16-110.

(b) Any taxes based on the omitted assessment of a property pursuant to Sections 9-260 through 9-270 and Sections 16-135 and 16-140 shall be prepared and mailed at the same time as the estimated first installment property tax bill for the preceding year (as described in Section 21-30) is prepared and mailed. The omitted assessment tax bill is not due until the date on which the second installment property tax bill for the preceding year becomes due. The omitted assessment tax bill shall be deemed delinquent and shall bear interest beginning on the day after the due date of the second installment (as described in Section 21-25). In counties with 3,000,000 or more inhabitants, any taxes for omitted assessments for a tax year before tax year 2023 that are deemed delinquent after the due date of the second installment tax bill shall bear interest at the rate of 1.5% per month, or portion thereof, until paid or forfeited (as described in Section 21-25). In counties with 3,000,000 or more inhabitants, any taxes for omitted assessments for tax year 2023 or thereafter that are deemed delinquent after the due date of the second installment tax bill shall bear interest at the rate of 0.75% per month, or portion thereof, until paid or forfeited (as described in Section 21-25).

(c) The assessor shall have no power to change the assessment or alter the assessment books in any other manner or for any other purpose so as to change or affect the taxes in that year, except as ordered by the board of appeals (until the first Monday in December 1998 and the board of review beginning the first Monday in December 1998 and thereafter). The county assessor shall make all changes and corrections ordered by the board of appeals (until the first Monday in December 1998 and the board of review beginning the first Monday in December 1998 and thereafter). The county assessor may for the purpose of revision by the board of appeals (until the first Monday in December 1998 and the board of review beginning the first Monday in December 1998 and thereafter) certify the assessment books for any town or taxing district after or when such books are completed.

(Source: P.A. 96-1553, eff. 3-10-11.)

(35 ILCS 200/18-250)

Sec. 18-250. Additions to forfeited taxes and unpaid special assessments; fee for estimate.

(a) When any property has been forfeited for taxes or special assessments, the clerk shall compute the amount of back taxes and special assessments, interest, statutory costs, and printer's fees remaining due, with one year's interest on all taxes forfeited, and enter them upon the collector's books as separate items. Except as otherwise provided in Section 21-375, the aggregate so computed shall be collected in the same manner as the taxes on other property for that year. The county clerk shall examine the forfeitures, and strike all errors and make corrections as necessary. For counties with fewer than 3,000,000 inhabitants, interest ~~Interest~~ added to forfeitures under this Section shall be at the rate of 12% per year. For counties with 3,000,000 or more inhabitants, interest added to forfeitures under this Section shall accrue at the rate of (i) 12% per year if the forfeiture is for a tax year before tax year 2023 or (ii) 0.75% per month, or portion thereof, if the forfeiture is for tax year 2023 or any tax year thereafter.

(b) In counties with 3,000,000 or more inhabitants, taxes first extended for prior years, or previously extended for prior years for which application for judgment and order of sale is not already pending, shall be added to the tax of the current year, with interest and costs as provided by law. Forfeitures shall not be so added, but they shall remain a lien on the property upon which they were charged until paid or sold as provided by law. There shall be added to such forfeitures annually the same interest as would be added if forfeited annually, until paid or sold, and the addition of each year's interest shall be considered a separate forfeiture. Forfeitures may be redeemed in the manner provided in Section 21-370 or 21-375. Taxes and special assessments for which application for judgment and order of sale is pending, or entered but not enforced for any reason, shall not be added to the tax for the current year. However, if the taxes and special assessments remain unpaid, the property, shall be advertised and sold under judgments and orders of sale to be entered in pending applications, or already entered in prior applications, including judgments and orders of sale under which the purchaser fails to complete his or her purchase.

(c) In counties with 3,000,000 or more inhabitants, on or before January 1, 2001 and during each year thereafter, the county clerk shall compute the amount of taxes on each property that remain due or forfeited for any year prior to the current year and have not become subject to Sections 20-180 through 20-190, and the clerk shall enter the same upon the collector's warrant books of the current and all following years as

separate items in a suitable column. The county clerk shall examine the collector's warrant books and the Tax Judgment, Sale, Redemption and Forfeiture records for the appropriate years and may take any other actions as the clerk finds to be necessary or convenient in order to comply with this subsection. On and after January 1, 2001, any taxes for any year remaining due or forfeited against real property in such county not entered on the current collector's warrant books shall be deemed uncollectible and void, but shall not be subject to the posting or other requirements of Sections 20-180 through 20-190.

(d) In counties with 100,000 or more inhabitants, the county clerk shall, when making the annual collector's books, in a suitable column, insert and designate previous forfeitures of general taxes by the word "forfeiture", to be stamped opposite each property forfeited at the last previous tax sale for general taxes and not redeemed or purchased previous to the completion of the collector's books. The collectors of general taxes shall stamp upon all bills rendered and receipts given the information on the collector's books regarding forfeiture of general taxes, and the stamped notation shall also refer the recipient to the county clerk for full information. The county clerk shall be allowed to collect from the person requesting an estimate of costs of redemption of a forfeited property, the fee provided by law.

(Source: P.A. 91-668, eff. 12-22-99.)

(35 ILCS 200/21-15)

Sec. 21-15. General tax due dates; default by mortgage lender. Except as otherwise provided in this Section or Section 21-40, all property upon which the first installment of taxes remains unpaid on the later of (i) June 1 or (ii) the day after the date specified on the real estate tax bill as the first installment due date annually shall be deemed delinquent and shall bear interest after that date. For property located in a county with fewer than 3,000,000 inhabitants, the unpaid taxes shall bear interest at the rate of 1 1/2% per month or portion thereof. For property located in a county with 3,000,000 or more inhabitants, the unpaid taxes shall bear interest at the rate of (i) 1.5% per month, or portion thereof, if the unpaid taxes are for a tax year before 2023 or (ii) 0.75% per month, or portion thereof, if the unpaid taxes are for tax year 2023 or any tax year thereafter. Except as otherwise provided in this Section or Section 21-40, all property upon which the second installment of taxes remains due and unpaid on the later of (i) September 1 or (ii) the day after the date specified on the real estate tax bill as the second installment due date, annually, shall be deemed delinquent and shall bear interest after that date at the same interest rate. Notwithstanding any other provision of law, in counties with fewer than 3,000,000 inhabitants, if a taxpayer owes an arrearage of taxes due to an administrative error, and if the county collector sends a separate bill for that arrearage as provided in Section 14-41, then any part of the arrearage of taxes that remains unpaid on the day after the due date specified on that tax bill shall be deemed delinquent and shall bear interest after that date at the rate of 1 1/2% per month or portion thereof. Notwithstanding any other provision of law, in counties with 3,000,000 or more inhabitants, if a taxpayer owes an arrearage of taxes due to an administrative error, and if the county collector sends a separate bill for that arrearage as provided in Section 14-41, then any part of the arrearage of taxes that remains unpaid on the day after the due date specified on that tax bill shall be deemed delinquent and shall bear interest after that date at the rate of (i) 1 1/2% per month, or portion thereof, if the arrearage is for a tax year before tax year 2023 or (ii) 0.75% per month, or portion thereof, if the arrearage is for tax year 2023 or any tax year thereafter. All interest collected shall be paid into the general fund of the county. Payment received by mail and postmarked on or before the required due date is not delinquent.

Property not subject to the interest charge in Section 9-260 or Section 9-265 shall also not be subject to the interest charge imposed by this Section until such time as the owner of the property receives actual notice of and is billed for the principal amount of back taxes due and owing.

If an Illinois resident who is a member of the Illinois National Guard or a reserve component of the armed forces of the United States and who has an ownership interest in property taxed under this Act is called to active duty for deployment outside the continental United States and is on active duty on the due date of any installment of taxes due under this Act, he or she shall not be deemed delinquent in the payment of the installment and no interest shall accrue or be charged as a penalty on the installment until 180 days after that member returns from active duty. To be deemed not delinquent in the payment of an installment of taxes and any interest on that installment, the reservist or guardsperson must make a reasonable effort to notify the county clerk and the county collector of his or her activation to active duty and must notify the county clerk and the county collector within 180 days after his or her deactivation and provide verification of the date of his or her deactivation. An installment of property taxes on the property of any reservist or guardsperson who fails to provide timely notice and verification of deactivation to the county clerk is subject to interest and penalties as delinquent taxes under this Code from the date of deactivation.

Notwithstanding any other provision of law, when any unpaid taxes become delinquent under this Section through the fault of the mortgage lender, (i) the interest assessed under this Section for delinquent taxes shall be charged against the mortgage lender and not the mortgagor and (ii) the mortgage lender shall pay the taxes, redeem the property and take all necessary steps to remove any liens accruing against the property because of the delinquency. In the event that more than one entity meets the definition of mortgage lender with respect to any mortgage, the interest shall be assessed against the mortgage lender responsible for servicing the mortgage. Unpaid taxes shall be deemed delinquent through the fault of the mortgage lender only if: (a) the mortgage lender has received all payments due the mortgage lender for the property being taxed under the written terms of the mortgage or promissory note secured by the mortgage, (b) the mortgage lender holds funds in escrow to pay the taxes, and (c) the funds are sufficient to pay the taxes after deducting all amounts reasonably anticipated to become due for all hazard insurance premiums and mortgage insurance premiums and any other assessments to be paid from the escrow under the terms of the mortgage. For purposes of this Section, an amount is reasonably anticipated to become due if it is payable within 12 months from the time of determining the sufficiency of funds held in escrow. Unpaid taxes shall not be deemed delinquent through the fault of the mortgage lender if the mortgage lender was directed in writing by the mortgagor not to pay the property taxes, or if the failure to pay the taxes when due resulted from inadequate or inaccurate parcel information provided by the mortgagor, a title or abstract company, or by the agency or unit of government assessing the tax.

(Source: P.A. 97-944, eff. 8-10-12; 98-286, eff. 1-1-14.)

(35 ILCS 200/21-25)

Sec. 21-25. Due dates; accelerated billing in counties of 3,000,000 or more. Except as hereinafter provided and as provided in Section 21-40, in counties with 3,000,000 or more inhabitants in which the accelerated method of billing and paying taxes provided for in Section 21-30 is in effect, the estimated first installment of unpaid taxes shall be deemed delinquent and shall bear interest after March 1 and until paid or forfeited at the rate of (i) 1 1/2% per month or portion thereof if the unpaid taxes are for a tax year before 2023 or (ii) 0.75% per month, or portion thereof, if the unpaid taxes are for tax year 2023 or any tax year thereafter ~~until paid or forfeited~~. For tax year 2010, the estimated first installment of unpaid taxes shall be deemed delinquent and shall bear interest after April 1 at the rate of 1.5% per month or portion thereof until paid or forfeited. For tax year 2022, the estimated first installment of unpaid taxes shall be deemed delinquent and shall bear interest after April 1, 2023 at the rate of 1.5% per month or portion thereof until paid or forfeited. For all tax years, the second installment of unpaid taxes shall be deemed delinquent and shall bear interest after August 1 annually at the same interest rate until paid or forfeited. Notwithstanding any other provision of law, if a taxpayer owes an arrearage of taxes due to an administrative error, and if the county collector sends a separate bill for that arrearage as provided in Section 14-41, then any part of the arrearage of taxes that remains unpaid on the day after the due date specified on that tax bill shall be deemed delinquent and shall bear interest after that date at the rate of (i) 1 1/2% per month, or portion thereof, if the unpaid taxes are for a tax year before 2023 or (ii) 0.75% per month, or portion thereof, if the unpaid taxes are for tax year 2023 or any tax year thereafter.

If the county board elects by ordinance adopted prior to July 1 of a levy year to provide for taxes to be paid in 4 installments, each installment for that levy year and each subsequent year shall be deemed delinquent and shall begin to bear interest 30 days after the date specified by the ordinance for mailing bills, at the rate of 1 1/2% per month, or portion thereof, until paid or forfeited. If the unpaid taxes are for a tax year before 2023, then interest shall accrue at the rate of 1.5% per month, or portion thereof, until paid or forfeited. If the unpaid taxes are for tax year 2023 or any tax year thereafter, then interest shall accrue at the rate of 0.75% per month, or portion thereof, until paid or forfeited.

Payment received by mail and postmarked on or before the required due date is not delinquent.

Taxes levied on homestead property in which a member of the National Guard or reserves of the armed forces of the United States who was called to active duty on or after August 1, 1990, and who has an ownership interest, shall not be deemed delinquent and no interest shall accrue or be charged as a penalty on such taxes due and payable in 1991 or 1992 until one year after that member returns to civilian status.

If an Illinois resident who is a member of the Illinois National Guard or a reserve component of the armed forces of the United States and who has an ownership interest in property taxed under this Act is called to active duty for deployment outside the continental United States and is on active duty on the due date of any installment of taxes due under this Act, he or she shall not be deemed delinquent in the payment of the installment and no interest shall accrue or be charged as a penalty on the installment until 180 days after that member returns to civilian status. To be deemed not delinquent in the payment of an installment of

taxes and any interest on that installment, the reservist or guardsperson must make a reasonable effort to notify the county clerk and the county collector of his or her activation to active duty and must notify the county clerk and the county collector within 180 days after his or her deactivation and provide verification of the date of his or her deactivation. An installment of property taxes on the property of any reservist or guardsperson who fails to provide timely notice and verification of deactivation to the county clerk is subject to interest and penalties as delinquent taxes under this Code from the date of deactivation. (Source: P.A. 102-1112, eff. 12-21-22.)

(35 ILCS 200/21-45)

Sec. 21-45. Failure to issue tax bill in prior year. In the event no tax bill was issued as provided in Section 21-30, on any property in any previous year for any reason, one tax bill shall be prepared and mailed by July 1 of the year subsequent to the year in which no tax bill was issued, and taxes on that property for that year only shall bear interest after the first day of August of that year. In counties with fewer than 3,000,000 inhabitants, interest shall accrue at the rate of 1 1/2% per month or portion thereof until paid or forfeited. In counties with 3,000,000 or more inhabitants, if the taxes are for a tax year before tax year 2023, then interest shall accrue at the rate of 1.5% per month, or portion thereof, until paid or forfeited. In counties with 3,000,000 or more inhabitants, if the taxes are for the 2023 tax year or any tax year thereafter, then interest shall accrue at the rate of 0.75% per month, or portion thereof, until paid or forfeited.

(Source: P.A. 87-17; 88-455.)

(35 ILCS 200/21-90)

Sec. 21-90. Purchase and sale by county; distribution of proceeds.

(a) When any property is delinquent, or is forfeited for each of 2 or more years, and is offered for sale under any of the provisions of this Code, the county board County Board of the county County in which the property is located, in its discretion, may bid, or, in the case of forfeited property, may apply to purchase it or otherwise acquire the tax lien or certificate, in the name of the county County as trustee for all taxing districts having an interest in the property's taxes or special assessments for the nonpayment of which the property is sold. The presiding officer of the county board, with the advice and consent of the board Board, may appoint on its behalf some officer, or person, or entity to attend such sales, bid on tax liens or certificates, and act on behalf of the county when exercising its authority under this Section and bid or, in the case of forfeited property, to apply to the county clerk to purchase. The county County shall apply on the bid or purchase the unpaid taxes and special assessments due upon the property. No cash need be paid.

(b) The county, as trustee for all taxing districts having an interest in the property's taxes or special assessments, shall be the designated holder of all tax liens or certificates that are forfeited to the State or county. No cash need be paid for the forfeited tax lien or certificate.

(c) For any tax lien or certificate acquired under subsection (a) or (b) of this Section, the county The County may take steps necessary to acquire title to the property and may manage and operate the property, including, but not limited to, mowing of grass, removal of nuisance greenery, removal of garbage, waste, debris or other materials, or the demolition, repair, or remediation of unsafe structures. When a county, or other taxing district within the county, is a petitioner for a tax deed, no filing fee shall be required. When a county or other taxing district within the county is the petitioner for a tax deed, one petition may be filed including all parcels that are tax delinquent within the county or taxing district, and any publication made under Section 22-20 of this Code may combine all such parcels within a single notice. The notice may include the street address as listed on the most recent available tax bills, if available, and shall list the Property Index Number shall list the street or common address, if known, of the parcels for informational purposes. The county, as tax creditor and as trustee for other tax creditors, or other taxing district within the county, shall not be required to allege and prove that all taxes and special assessments which become due and payable after the sale or forfeiture to the county have been paid nor shall the county be required to pay the subsequently accruing taxes or special assessments at any time. The county board or its designee may prohibit the county collector from including the property in the tax sale of one or more subsequent years. The lien of taxes and special assessments which become due and payable after a sale to a county shall merge in the fee title of the county, or other taxing district within the county, on the issuance of a deed.

The county County may sell any or assign the property so acquired with authority provided in this Section, or assign any tax the certificate of purchase to it, to any party, including, but not limited to, taxing districts, municipalities, land banks created pursuant to Illinois law, or non-profit developers focused on constructing affordable housing.

The assigned tax certificate shall be void with no further rights given to the assignee, including no right to refund or reimbursement, if a tax deed has not been recorded within 4 years after the date of the

assignment unless a court extends the assignment period as provided in this Section. Upon a motion by the assignee, a court may toll the 4-year deadline for a specified period of time if the court finds the assignee is prevented from obtaining or recording a deed by injunction or order of any court, by the refusal or inability of any court to act upon the application for a tax deed, by a municipality's refusal to issue necessary transfer stamps or approvals for recording, or by the refusal of the clerk to execute the deed. If an assigned tax certificate is void under this Section, it shall be forfeited to the county and held as a valid certificate of sale in the county's name pursuant to this Section 21-90. The proceeds of any ~~that~~ sale or assignment under this Section, less all costs of the county incurred in the acquisition, operation, maintenance, and sale ~~of assignment~~ of the property or assignment of the tax certificate, including all costs associated with county staff and overhead used to perform the duties of the trustee set forth in this Section, shall be distributed to the taxing districts in proportion to their respective interests therein.

Under Sections 21-110, 21-115, 21-120, and 21-190 ~~and 21-405~~, a county ~~County~~ may bid or purchase only in the absence of other bidders.
(Source: P.A. 102-363, eff. 1-1-22.)

(35 ILCS 200/21-118)

Sec. 21-118. Tax sale; online database. At least 10 days prior to any tax sale authorized under this Article 21, the county collector may post on his or her website a list of all properties that are eligible to be sold at the sale. The list shall include the street address on file with the county collector, if available, and shall include the PIN number assigned to the property. The list may not include the name of the property owner. The list may designate properties on which a sale in error has previously been declared, provided that those designations are posted at least 7 days before any tax sale authorized under this Article 21. If the list designates properties as properties on which a sale in error has previously been declared, the list shall also include the court case number or administrative number under which the declaration of the sale in error was made and the basis for the sale in error. No sale in error may be declared under this Code based upon an omission from or error on the list of designated properties.

(Source: P.A. 97-557, eff. 7-1-12.)

(35 ILCS 200/21-145)

Sec. 21-145. Scavenger sale. At the same time the county collector ~~County Collector~~ annually publishes the collector's annual sale advertisement under Sections 21-110, 21-115, and 21-120, ~~it is mandatory for the collector in counties with 3,000,000 or more inhabitants, and in other counties may,~~ if the county board so orders by resolution, ~~to~~ publish an advertisement giving notice of the intended sale of certain tax liens and certificates that have been forfeited and are held by the county pursuant to Section 21-90 ~~application for judgment and sale of all properties upon which all or a part of the general taxes for each of 3 or more years are delinquent as of the date of the advertisement.~~ Under no circumstance may a tax year be offered at a scavenger sale prior to the annual tax sale for that tax year (or, for omitted assessments issued pursuant to Section 9-260, the annual tax sale for that omitted assessment's warrant year, as defined herein). ~~In no event may there be more than 2 consecutive years without a sale under this Section, except where a tax sale has been delayed pursuant to Section 21-150 as a result of a statewide COVID-19 public health emergency. The term delinquent also includes forfeitures.~~

The county collector ~~County Collector~~ shall include in the advertisement and in the application for judgment and sale under this Section and Section 21-260 the total amount of all general taxes upon those properties which are delinquent as of the date of the advertisement. In lieu of a single annual advertisement and application for judgment and sale under this Section and Section 21-260, the county collector ~~County Collector~~ may, from time to time, beginning on the date of the publication of the annual sale advertisement and before August 1 of the next year, publish separate advertisements and make separate applications on eligible properties described in one or more volumes of the delinquent list. The separate advertisements and applications shall, in the aggregate, include all the properties which otherwise would have been included in the single annual advertisement and application for judgment and sale under this Section. Upon the written request of the taxing district which levied the same, the county collector ~~County Collector~~ shall also include in the advertisement the special taxes and special assessments, together with interest, penalties and costs thereon upon those properties which are delinquent as of the date of the advertisement. The advertisement and application for judgment and sale shall be in the manner prescribed by this Code relating to the annual advertisement and application for judgment and sale of delinquent properties.

As used in this Section, the term delinquent also includes tax liens and certificates forfeited to the county as trustee and held pursuant to Section 21-90, if those tax liens or certificates are approved for sale by the county board. Any tax lien or certificate held by the county pursuant to Section 21-90 that is offered

at a scavenger sale shall be assigned by the county to the winning bidder at the scavenger sale as set forth in Section 21-90. After 4 years from the date of assignment, the assignment is void and the tax certificate shall be forfeited back to the county and held pursuant to Section 21-90, unless a tax deed has been issued and recorded by the assignee or a court order to toll the deadline pursuant to Section 21-90 is entered.

As used in this Section, "warrant year" means the year preceding the calendar year in which the omitted assessment first became due and payable.

(Source: P.A. 101-635, eff. 6-5-20; 102-519, eff. 8-20-21.)

(35 ILCS 200/21-225)

Sec. 21-225. Forfeited tax liens and certificates ~~property~~. Every tax lien or certificate for property offered at public sale, and not sold for want of bidders, unless it is released from sale by the withdrawal from collection of a special assessment levied thereon, shall be forfeited to the county, as trustee for the taxing districts, and managed pursuant to Section 21-90 State of Illinois. Tax certificates are also forfeited to the county in those circumstances described in subsection (d) of Section 21-310 and subsection (f) of Section 22-40 of this Code. ~~However, when the court, county clerk and county treasurer certify that the taxes and special assessments not withdrawn from collection on forfeited property equal or exceed the actual value of the property, the county collector shall, on the receipt of such certificate, offer the property for sale to the highest bidder, after first giving 10 days' notice in counties with less than 10,000 inhabitants, according to the most recent federal decennial census, and 30 days' notice in all other counties, in the manner described in Sections 21-110 and 21-115, of the time and place of sale, together with a description of the property to be offered. A certificate of purchase shall be issued to the purchaser at the sale as in other cases provided in this Code. The county collector shall receive credit in the settlement with the taxing bodies for which the tax was levied for the amount not realized by the sale. The amount received from the sale shall be paid by the collector, pro rata, to the taxing bodies entitled to it.~~

(Source: P.A. 97-557, eff. 7-1-12.)

(35 ILCS 200/21-235)

Sec. 21-235. Record of forfeitures. All tax liens and certificates ~~properties~~ forfeited to the county State at the sale shall be noted on the Tax Judgment, Sale, Redemption and Forfeiture Record.

In counties with less than 3,000,000 inhabitants, a list of all property charged with delinquent special assessments and forfeited to the county State at the sale shall be returned to the collector of the levying municipality.

(Source: P.A. 76-2254; 88-455.)

(35 ILCS 200/21-240)

Sec. 21-240. ~~Payment for property purchased at tax sale; reoffering for sale.~~ Payment for property purchased at tax sale; reoffering for sale. Except as otherwise provided below, the person purchasing any property, or any part thereof, shall be liable to the county for the amount due and shall forthwith pay to the county collector the amount charged on the property. Upon failure to do so, the amount due shall be recoverable in a civil action brought in the name of the People of the State of Illinois in any court of competent jurisdiction. The person so purchasing shall be relieved of liability only by payment of the amount due together with interest and costs thereon, or if the property is reoffered at the sale, purchased and paid for. Reoffering of the property for sale shall be at the discretion of the collector. The sale shall not be closed until payment is made or the property again offered for sale. In counties with 3,000,000 or more inhabitants, only the taxes, special assessments, interest and costs as advertised in the sale shall be required to be paid forthwith. ~~Except if the purchaser is the county as trustee pursuant to Section 21-90, the~~ The general taxes charged on the land remaining due and unpaid, including amounts subject to certificates of error, not included in the advertisement, shall be paid by the purchaser within 10 days after the sale, except that upon payment of the fee provided by law to the County Clerk (which fee shall be deemed part of the costs of sale) the purchaser may make written application, within the 10 day period, to the county clerk for a statement of all taxes, interest and costs due and an estimate of the cost of redemption of all forfeited general taxes, which were not included in the advertisement. After obtaining such statement and estimate and an order on the county collector to receive the amount of forfeited general taxes, if any, the purchaser shall pay to the county collector all the remaining taxes, interest and costs, and the amount necessary to redeem the forfeited general taxes. The county collector shall issue the purchaser a receipt therefor. Any delay in providing the statement or in accepting payment, and delivering receipt therefor, shall not be counted as a part of the 10 days. When the receipt of the collector is issued, a copy shall be filed with the county clerk and the county clerk shall include the amount shown in such receipt in the amount of the purchase price of the property in the certificate of purchase. The purchaser then shall be entitled to a

certificate of purchase. If a purchaser fails to complete his or her purchase as provided in this Section, the purchase shall become void, and be of no effect, but the collector shall not refund the amount paid in cash at the time of the sale, except in cases of sale in error under subsection (a) of Section 21-310. That amount shall be treated as a payment and distributed to the taxing bodies as other collections are distributed. The lien for taxes for the amount paid shall remain on the property, in favor of the purchaser, his or her heirs or assigns, until paid with 5% interest per year on that amount from the date the purchaser paid it. The amount and fact of such ineffective purchase shall be entered in the tax judgment, sale, redemption and forfeiture record opposite the property upon which the lien remains. No redemption shall be made without payment of this amount for the benefit of the purchaser, and no future sale of the property shall be made except subject to the lien of such purchaser. This section shall not apply to any purchase by any city, village or incorporated town in default of other bidders at any sale for delinquent special assessments.

(Source: P.A. 84-1308; 88-455.)

(35 ILCS 200/21-250)

Sec. 21-250. Certificate of purchase. The county clerk shall make out and deliver to the purchaser of any property sold under Section 21-205, or to the county if the lien is acquired pursuant to Section 21-90 and a certificate is requested by the county or its agent, a tax certificate of purchase countersigned by the collector, describing the property sold, the date of sale, the amount of taxes, special assessments, interest and cost for which they were sold and that payment of the sale price has been made. If any person becomes the purchaser of more than one property owned by one party or person, the purchaser may have the whole or one or more of them included in one certificate, but separate certificates shall be issued in all other cases. A tax certificate of purchase shall be assignable by endorsement. An assignment shall vest in the assignee or his or her legal representatives, all the right and title of the original purchaser.

If the tax certificate is lost or destroyed, the county clerk shall issue a duplicate certificate upon written request and a sworn affidavit by the tax sale purchaser, or his or her assignee, that the tax certificate is lost or destroyed. The county clerk shall cause a notation to be made in the tax sale and judgment book that a duplicate certificate has been issued, and redemption payments shall be made only to the holder of the duplicate certificate.

(Source: P.A. 88-455; 89-617, eff. 9-1-96.)

(35 ILCS 200/21-310)

Sec. 21-310. Sales in error.

(a) When, upon application of the county collector, the owner of the certificate of purchase, the holder of a 5% lien issued pursuant to Section 21-240, or a municipality which owns or has owned the property ordered sold, it appears to the satisfaction of the court which ordered the property sold that any of the following subsections are applicable, the court shall declare the sale to be a sale in error:

(1) the property was not subject to taxation, or all or any part of the lien of taxes sold has become null and void pursuant to Section 21-95 or unenforceable pursuant to subsection (c) of Section 18-250 or subsection (b) of Section 22-40; ;

(2) the taxes or special assessments had been paid prior to the sale of the property; ;

(3) there is a double assessment; ;

(4) the description is void for uncertainty; ;

(5) the assessor, chief county assessment officer, board of review, board of appeals, or other county official has made an error material to the tax certificate at issue (other than an error of judgment as to the value of any property), provided, however, that a sale in error may not be declared upon application of the owner of the certificate of purchase under this paragraph (5) if the county collector provided notice in accordance with Section 21-118 that the same property received a previous sale in error on the same grounds;

(5.5) the owner of the homestead property had tendered timely and full payment to the county collector that the owner reasonably believed was due and owing on the homestead property, and the county collector did not apply the payment to the homestead property; provided that this provision applies only to homeowners, not their agents or third-party payors; ;

(6) ~~prior to the tax sale~~ a voluntary or involuntary petition was has been filed by or against the legal or beneficial owner of the property requesting relief under the provisions of 11 U.S.C. Chapter 7, 11, 12, or 13, and the bankruptcy case was open on the date the collector's application for judgment was filed pursuant to Section 21-150 or 21-155;

(7) the property is owned by the United States, the State of Illinois, a municipality, or a taxing district; ; or

(8) the owner of the property is a reservist or guardsperson who is granted an extension of his or her due date under Sections 21-15, 21-20, and 21-25 of this Act.

(b) When, upon application of the owner of the certificate of purchase only, it appears to the satisfaction of the court which ordered the property sold that any of the following subsections are applicable, the court shall declare the sale to be a sale in error:

(1) A voluntary or involuntary petition under the provisions of 11 U.S.C. Chapter 7, 11, 12, or 13 has been filed subsequent to the tax sale and prior to the issuance of the tax deed, and the bankruptcy case was open on the date the petition for a sale in error was filed.

(2) The improvements upon the property sold have been substantially destroyed ~~or rendered uninhabitable or otherwise unfit for occupancy~~ subsequent to the tax sale and prior to the issuance of the tax deed; however, if the court declares a sale in error under this paragraph (2), the court may order the holder of the certificate of purchase to assign the certificate to the county collector if requested by the county collector. The county collector may, upon request of the county, as trustee, or upon request of a taxing district having an interest in the taxes sold, further assign any certificate of purchase received pursuant to this paragraph (2) to the county acting as trustee for taxing districts pursuant to Section 21-90 of this Code or to the taxing district having an interest in the taxes sold.

(3) There is an interest held by the United States in the property sold which could not be extinguished by the tax deed.

(4) The real property contains a hazardous substance, hazardous waste, or underground storage tank that would require cleanup or other removal under any federal, State, or local law, ordinance, or regulation, only if the tax purchaser purchased the property without actual knowledge of the hazardous substance, hazardous waste, or underground storage tank. The presence of a grease trap on the property is not grounds for a sale in error under this paragraph (4). This paragraph (4) applies only if the owner of the certificate of purchase has made application for a sale in error at any time before the issuance of a tax deed. If the court declares a sale in error under this paragraph (4), the court may order the holder of the certificate of purchase to assign the certificate to the county collector if requested by the county collector. The county collector may, upon request of the county, as trustee, or upon request of a taxing district having an interest in the taxes sold, further assign any certificate of purchase received pursuant to this paragraph (4) to the county acting as trustee for taxing districts pursuant to Section 21-90 of this Code or to the taxing district having an interest in the taxes sold.

Whenever a court declares a sale in error under this subsection (b), the State's attorney ~~court~~ shall promptly notify the county collector in writing. ~~Every such declaration pursuant to any provision of this subsection (b) shall be made within the proceeding in which the tax sale was authorized.~~

(c) When the county collector discovers, prior to the expiration of the period of redemption, that a tax sale should not have occurred for one or more of the reasons set forth in subdivision (a)(1), (a)(2), (a)(3), (a)(4), (a)(5.5), (a)(6), or (a)(8) of this Section, the county collector shall notify the last known owner of the tax certificate of purchase by certified and regular mail, or other means reasonably calculated to provide actual notice, that the county collector intends to declare an administrative sale in error and of the reasons therefor, including documentation sufficient to establish the reason why the sale should not have occurred. The owner of the certificate of purchase may object in writing within 28 days after the date of the mailing by the county collector. If an objection is filed, the county collector shall not administratively declare a sale in error, but may apply to the circuit court for a sale in error as provided in subsection (a) of this Section. Thirty days following the receipt of notice by the last known owner of the certificate of purchase, or within a reasonable time thereafter, the county collector shall make a written declaration, based upon clear and convincing evidence, that the taxes were sold in error and shall deliver a copy thereof to the county clerk within 30 days after the date the declaration is made for entry in the tax judgment, sale, redemption, and forfeiture record pursuant to subsection (d) of this Section. The county collector shall promptly notify the last known owner of the certificate of purchase of the declaration by regular mail and shall, except if the certificate was issued pursuant to a no-cash bid, promptly pay the amount of the tax sale, together with interest and costs as provided in Section 21-315, upon surrender of the original certificate of purchase.

(d) If a sale is declared to be a sale in error for any reason set forth in Section 22-35, Section 22-50, or subdivision (a)(5), (b)(2), or (b)(4) of this Section, the tax certificate shall be forfeited to the county as trustee pursuant to Section 21-90 of this Code, unless the county collector informs the county and the county clerk in writing that the tax certificate shall not be forfeited to the county as trustee. ~~The~~ ~~the~~ county clerk shall make entry in the tax judgment, sale, redemption and forfeiture record, that the property was

erroneously sold and that the tax certificate is forfeited to the county pursuant to Section 21-90, and the county collector shall, on demand of the owner of the certificate of purchase, refund the amount paid, except for the nonrefundable \$80 fee paid, pursuant to Section 21-295, for each item purchased at the tax sale, pay any interest and costs as may be ordered under Sections 21-315 through 21-335, and cancel the certificate so far as it relates to the property. The county collector shall deduct from the accounts of the appropriate taxing bodies their pro rata amounts paid. Alternatively, for sales in error declared under subsection (b)(2) or (b)(4), the county collector may request the circuit court to direct the county clerk to record any assignment of the tax certificate to or from the county collector without charging a fee for the assignment. The owner of the certificate of purchase shall receive all statutory refunds and payments. The county collector shall deduct costs and payments in the same manner as if a sale in error had occurred.

(e) Whenever the collector declares an administrative sale in error under this Section, the collector must send a copy of the declaration of the administrative sale in error, and documentation sufficient to establish the reason why the sale should not have occurred, to the government entity responsible for maintaining assessment books and property record cards for the subject property. That entity must review the documentation sent by the collector, make a determination as to whether an update to the assessment books or property record cards is necessary to prevent a recurrence of the sale in error, and update the assessment books or property record cards as appropriate.

(f) Whenever a court declares a sale in error under this Section, the State's attorney must send a copy of the application and order declaring the sale in error to the county collector, the county clerk, and the government entity responsible for maintaining the assessment books and property record cards for the subject property. The collector, the county clerk, and the other government entity must each review the application and order sent by the State's attorney and make a determination as to whether an update to its respective records is necessary to prevent a recurrence of the sale in error, and update its records as appropriate.

The changes made to this Section by this amendatory Act of the 103rd General Assembly apply to matters concerning tax certificates issued on or after the effective date of this amendatory Act of the 103rd General Assembly.

(Source: P.A. 100-890, eff. 1-1-19; 101-379, eff. 1-1-20; 101-659, eff. 3-23-21.)

(35 ILCS 200/21-315)

Sec. 21-315. Refund of costs; interest on refund.

(a) If a sale in error under Section 21-310, 22-35, or 22-50 is declared, the amount refunded shall also include all costs paid by the owner of the certificate of purchase or his or her assignor which were posted to the tax judgment, sale, redemption and forfeiture record, except that if the sale in error is declared under Section 22-50, in counties of 3,000,000 or more inhabitants the amount refunded shall not include the \$100 fee paid in accordance with Section 21-330.

(b) In those cases which arise solely under grounds set forth in Section 21-310, the amount refunded shall also include interest on the refund of the amount paid for the certificate of purchase, except as otherwise provided in this Section. Interest shall be awarded and paid to the tax purchaser at the rate of 1% per month from the date of sale to the date of payment, or in an amount equivalent to the penalty interest which would be recovered on a redemption at the time of payment pursuant to the order for sale in error, whichever is less. Interest shall not be paid when the sale in error is made pursuant to paragraph (2) or (4) of subsection (b) of Section 21-310, Section 22-35, Section 22-50, subdivision (a)(5), (b)(1), (b)(2), or (b)(4) of Section 21-310, any ground not enumerated in Section 21-310, or in any other case where the court determines that the tax purchaser had actual knowledge prior to the sale of the grounds on which the sale is declared to be erroneous.

(c) When the county collector files a petition for sale in error under Section 21-310 and mails a notice thereof by certified or registered mail to the last known owner of the certificate of purchase, any interest otherwise payable under this Section shall cease to accrue as of the date the petition is filed, unless the tax purchaser agrees to an order for sale in error upon the presentation of the petition to the court. Notices under this subsection may be mailed to the last known owner of the certificate of purchase. When the owner of the certificate of purchase contests the collector's petition solely to determine whether the grounds for sale in error are such as to support a claim for interest, the court may direct that the principal amount of the refund be paid to the owner of the certificate of purchase forthwith. If the court thereafter determines that a claim for interest lies under this Section, it shall award such interest from the date of sale to the date the principal amount was paid. If the owner of the certificate of purchase files an objection to the county collector's intention to declare an administrative sale in error, as provided under subsection (c) of Section 21-310, and,

thereafter, the county collector elects to apply to the circuit court for a sale in error under subsection (a) of Section 21-310, then, if the circuit court grants the county collector's application for a sale in error, the court may not award interest to the owner of the certificate of purchase for the period after the mailing date of the county collector's notice of intention to declare an administrative sale in error.

(Source: P.A. 94-662, eff. 1-1-06.)

(35 ILCS 200/21-330)

Sec. 21-330. Fund for payment of interest. In all counties of less than 3,000,000 inhabitants, the county board, by resolution, may impose a fee for payment of interest and costs. Each person purchasing any property at a sale under this Code shall pay to the county collector, prior to the issuance of any certificate of purchase, a fee of up to \$60 for each item purchased. Each person purchasing any property at a sale held under this Code in a county with 3,000,000 or more inhabitants shall pay to the county collector, prior to the issuance of any certificate of purchase, a fee of \$100 for each item purchased. That amount shall be included in the price paid for the certificate of purchase and the amount required to redeem under Section 21-355.

All sums of money received under this Section shall be paid by the collector to the county treasurer of the county in which the property is situated for deposit into a special fund. It shall be the duty of the county treasurer, as trustee of the fund, to invest the principal and income of the fund from time to time, if not immediately required for payments under this Section, in investments as are authorized by Sections 3-10009 and 3-11002 of the Counties Code. The fund shall be held to pay interest and costs by the county treasurer as trustee of the fund. No payment shall be made from the fund except by order of the court declaring a sale in error under Section 21-310, 22-35, or 22-50 or by declaration of the county collector under subsection (c) of Section 21-310. Payments under this Section are subject to the provisions of subsection (a) of Section 21-315 concerning sales in error declared under Section 22-50 in counties of 3,000,000 or more inhabitants. Any moneys accumulated in the fund by the county treasurer in excess of (i) \$100,000 in counties with 250,000 or less inhabitants or (ii) \$500,000 in counties with more than 250,000 inhabitants shall be paid each year prior to the commencement of the annual tax sale, first to satisfy any existing unpaid judgments entered pursuant to Section 21-295, and any funds remaining thereafter shall be paid to the general fund of the county.

(Source: P.A. 100-1070, eff. 1-1-19.)

(35 ILCS 200/21-350)

Sec. 21-350. Period of redemption. Property sold under this Code may be redeemed at any time before the expiration of 2 years from the date of sale, except that:

(a) If on the date of sale the property is vacant non-farm property or property containing an improvement consisting of a structure or structures with 7 or more residential units or that is commercial or industrial property, it may be redeemed at any time before the expiration of 1 year 6 months from the date of sale ~~if the property, at the time of sale, was for each of 2 or more years delinquent or forfeited for all or part of the general taxes due on the property.~~

(b) ~~(Blank) If on the date of sale the property sold was improved with a structure consisting of at least one and not more than 6 dwelling units it may be redeemed at any time on or before the expiration of 2 years and 6 months from the date of sale. If, however, the court that ordered the property sold, upon the verified petition of the holder of the certificate of purchase brought within 4 months from the date of sale, finds and declares that the structure on the property is abandoned, then the court may order that the property may be redeemed at any time on or before the expiration of 2 years from the date of sale. Notice of the hearing on a petition to declare the property abandoned shall be given to the owner or owners of the property and to the person in whose name the taxes were last assessed, by certified or registered mail sent to their last known addresses at least 5 days before the date of the hearing.~~

(c) If the period of redemption has been extended by the certificate holder as provided in Section 21-385 or Section 22-5, the property may be redeemed on or before the extended redemption date. The changes made to this Section by this amendatory Act of the 103rd General Assembly apply to matters concerning tax certificates issued on or after January 1, 2024.

(Source: P.A. 86-286; 86-413; 86-418; 86-949; 86-1028; 86-1158; 86-1481; 87-145; 87-236; 87-435; 87-895; 87-1189; 88-455.)

(35 ILCS 200/21-355)

Sec. 21-355. Amount of redemption. Any person desiring to redeem shall deposit an amount specified in this Section with the county clerk of the county in which the property is situated, in legal money of the

United States, or by cashier's check, certified check, post office money order or money order issued by a financial institution insured by an agency or instrumentality of the United States, payable to the county clerk of the proper county. The deposit shall be deemed timely only if actually received in person at the county clerk's office prior to the close of business as defined in Section 3-2007 of the Counties Code on or before the expiration of the period of redemption or by United States mail with a post office cancellation mark dated not less than one day prior to the expiration of the period of redemption. The deposit shall be in an amount equal to the total of the following:

(a) the certificate amount, which shall include all tax principal, special assessments, interest and penalties paid by the tax purchaser together with costs and fees of sale and fees paid under Sections 21-295 and 21-315 through 21-335, except for the nonrefundable \$80 fee paid, pursuant to Section 21-295, for each item purchased at the tax sale;

(b) the accrued penalty, computed through the date of redemption as a percentage of the certificate amount, as follows:

(1) if the redemption occurs on or before the expiration of 6 months from the date of sale, the certificate amount times the penalty bid at sale;

(2) if the redemption occurs after 6 months from the date of sale, and on or before the expiration of 12 months from the date of sale, the certificate amount times 2 times the penalty bid at sale;

(3) if the redemption occurs after 12 months from the date of sale and on or before the expiration of 18 months from the date of sale, the certificate amount times 3 times the penalty bid at sale;

(4) if the redemption occurs after 18 months from the date of sale and on or before the expiration of 24 months from the date of sale, the certificate amount times 4 times the penalty bid at sale;

(5) if the redemption occurs after 24 months from the date of sale and on or before the expiration of 30 months from the date of sale, the certificate amount times 5 times the penalty bid at sale;

(6) if the redemption occurs after 30 months from the date of sale and on or before the expiration of 36 months from the date of sale, the certificate amount times 6 times the penalty bid at sale.

In the event that the property to be redeemed has been purchased under Section 21-405 before January 1, 2024, the penalty bid shall be 12% per penalty period as set forth in subparagraphs (1) through (6) of this subsection (b). The changes to this subdivision (b)(6) made by this amendatory Act of the 91st General Assembly are not a new enactment, but declaratory of existing law.

If the property to be redeemed is property with respect to which a tax lien or certificate is acquired on or after January 1, 2024 by the county as trustee pursuant to Section 21-90, the penalty bid is 0.75% and shall accrue monthly instead of according to the penalty periods established in subparagraphs (1) through (6) of this subsection (b).

(c) The total of all taxes, special assessments, accrued interest on those taxes and special assessments and costs charged in connection with the payment of those taxes or special assessments, except for the nonrefundable \$80 fee paid, pursuant to Section 21-295, for each item purchased at the tax sale, which have been paid by the tax certificate holder on or after the date those taxes or special assessments became delinquent together with 12% penalty on each amount so paid for each year or portion thereof intervening between the date of that payment and the date of redemption. In counties with less than 3,000,000 inhabitants, however, a tax certificate holder may not pay all or part of an installment of a subsequent tax or special assessment for any year, nor shall any tender of such a payment be accepted, until after the second or final installment of the subsequent tax or special assessment has become delinquent or until after the holder of the certificate of purchase has filed a petition for a tax deed under Section 22.30. The person redeeming shall also pay the amount of interest charged on the subsequent tax or special assessment and paid as a penalty by the tax certificate holder. This amendatory Act of 1995 applies to tax years beginning with the 1995 taxes, payable in 1996, and thereafter.

(d) Any amount paid to redeem a forfeiture occurring before January 1, 2024 but after ~~subsequent to~~ the tax sale together with 12% penalty thereon for each year or portion thereof intervening between the date of the forfeiture redemption and the date of redemption from the sale.

(e) Any amount paid by the certificate holder for redemption of a subsequently occurring tax sale, including tax liens or certificates held by the county as trustee, pursuant to Section 21-90.

(f) All fees paid to the county clerk under Section 22-5.

(g) All fees paid to the registrar of titles incident to registering the tax certificate in compliance with the Registered Titles (Torrens) Act.

(h) All fees paid to the circuit clerk and the sheriff, a licensed or registered private detective, or the coroner in connection with the filing of the petition for tax deed and service of notices under Sections 22-15 through 22-30 and 22-40 in addition to (1) a fee of \$35 if a petition for tax deed has been filed, which fee shall be posted to the tax judgement, sale, redemption, and forfeiture record, to be paid to the purchaser or his or her assignee; (2) a fee of \$4 if a notice under Section 22-5 has been filed, which fee shall be posted to the tax judgment, sale, redemption, and forfeiture record, to be paid to the purchaser or his or her assignee; (3) all costs paid to record a lis pendens notice in connection with filing a petition under this Code; and (4) if a petition for tax deed has been filed, all fees up to \$150 per redemption paid to a registered or licensed title insurance company or title insurance agent for a title search to identify all owners, parties interested, and occupants of the property, to be paid to the purchaser or his or her assignee. The fees in (1) and (2) of this paragraph (h) shall be exempt from the posting requirements of Section 21-360. The costs incurred in causing notices to be served by a licensed or registered private detective under Section 22-15, may not exceed the amount that the sheriff would be authorized by law to charge if those notices had been served by the sheriff.

(i) All fees paid for publication of notice of the tax sale in accordance with Section 22-20.

(j) All sums paid to any county, city, village or incorporated town for reimbursement under Section 22-35.

(k) All costs and expenses of receivership under Section 21-410, to the extent that these costs and expenses exceed any income from the property in question, if the costs and expenditures have been approved by the court appointing the receiver and a certified copy of the order or approval is filed and posted by the certificate holder with the county clerk. Only actual costs expended may be posted on the tax judgment, sale, redemption and forfeiture record.

(Source: P.A. 101-659, eff. 3-23-21.)

(35 ILCS 200/21-370)

Sec. 21-370. Redemption of forfeited property. Except as otherwise provided in Section 21-375, any property forfeited to the county state may be redeemed or sold in the following manner:

When property has been forfeited for delinquent general taxes, the person desiring to redeem shall apply to the county clerk who shall order the county collector to receive from the person the amount of the forfeited general taxes, statutory costs, interest prior to forfeiture, printer's fees due thereon and, in addition, forfeiture interest at a rate of 12% per year or fraction thereof. Upon presentation of the county clerk's order to the county collector, the collector shall receive the amount due on account of forfeited general taxes and give the person duplicate receipts, setting forth a description of the property and amount received. One of the receipts shall be countersigned by the county clerk and, when so countersigned, shall be evidence of the redemption of the property. The receipt shall not be valid until it is countersigned by the county clerk. The other receipt shall be filed by the county clerk in his or her office, and the clerk shall make a proper entry of the redemption of the property on the appropriate books in his or her office and charge the amount of the redemption to the county collector.

In counties with 3,000,000 or more inhabitants, when property has been forfeited because of the nonpayment of delinquent special assessments, the county clerk shall collect from the person desiring to redeem the amount due on the delinquent special assessment, together with the interest, costs and penalties fixed by law, and shall issue a receipt therefor setting forth a description of the property and the amount received. The receipt shall be evidence of the redemption of the property therein described. In addition, the city comptroller or other officer designated and authorized by the city council, board of trustees or other governing body of any municipal corporation which levied any special assessment shall have power to collect the amounts due on properties which have been forfeited, and the interest and penalties due thereon, based upon an estimate of the cost of redemption computed by the county clerk and at a rate to be fixed by the city council, board of trustees or other governing body as to the interest and penalties due thereon and shall issue a receipt therefor. The person receiving the receipt shall file with the county clerk the receipt of the municipal officer that such special assessments and interest and penalties have been paid. Upon the presentation of the receipt the county clerk shall issue to the person a certificate of cancellation setting forth a description of the property, the special assessment warrant and installment, and the amount received by the

municipal officer. The certificate of cancellation shall be evidence of the redemption of the property therein described. The city council, board of trustees, or other governing body may authorize the municipal officer to waive penalties for the first year in excess of 7%. The form of the receipt of redemption for filing with the county clerk shall be as prescribed by law.

In counties with less than 3,000,000 inhabitants, when property has been forfeited in whole or in part for the non-payment of delinquent special assessments, the person desiring to redeem shall apply to the municipal collector who shall receive the amount due on the delinquent special assessment, together with the interest, costs and penalties fixed by law, and issue a certificate therefor. The recipient shall file the certificate of the municipal collector that the special assessments and the costs, interest and penalties thereon have been paid with the county clerk. The municipal collector's certificate of payment shall be filed by the county clerk in his or her office and the clerk shall make a proper entry of the redemption on the books in his or her office.

This Section 21-370 does not apply to any forfeiture that occurs on or after January 1, 2024.

(Source: P.A. 87-669; 88-455.)

(35 ILCS 200/21-385)

Sec. 21-385. Extension of period of redemption.

(a) For any tax certificates held by a county pursuant to Section 21-90, the redemption period for each tax certificate shall be extended by operation of law until the date established by the county as the redemption deadline in a petition for tax deed filed under Section 22-30. The redemption deadline established in the petition shall be identified in the notices provided under Sections 22-10 through 22-25 of this Code. After a redemption deadline is established in the petition for tax deed, the county may further extend the redemption deadline by filing with the county clerk of the county in which the property is located a written notice to that effect describing the property, identifying the certificate number, and specifying the extended period of redemption. Notwithstanding any expiration of a prior redemption period, all tax certificates forfeited to the county and held pursuant to Section 21-90 shall remain enforceable by the county or its assignee, and redemption shall be extended by operation of law until the date established by the county as the redemption deadline in a petition for tax deed filed under Section 22-30.

(b) Within 60 days of the date of assignment, assignees of forfeited certificates under Section 21-90 or Section 21-145 of this Code must file with the county clerk of the county in which the property is located a written notice describing the property, stating the date of the assignment, identifying the certificate number and specifying a deadline for redemption that is not later than 3 years from the date of assignment. Upon receiving the notice, the county clerk shall stamp the date of receipt upon the notice. If the notice is submitted as an electronic record, the county clerk shall acknowledge receipt of the record and shall provide confirmation in the same manner to the certificate holder. The confirmation from the county clerk shall include the date of receipt and shall serve as proof that the notice was filed with the county clerk. In no event shall a county clerk permit an assignee of forfeited certificates under Section 21-90 or Section 21-145 of this Code to extend the period of redemption beyond 3 years from the date of assignment. If the redemption period expires and no petition for tax deed has been filed under Section 22-30, the assigned tax certificate shall be forfeited to and held by the county pursuant to Section 21-90.

(c) Except for the county as trustee pursuant to Section 21-90, the purchaser or his or her assignee of property sold for nonpayment of general taxes or special assessments may extend the period of redemption at any time before the expiration of the original period of redemption, or thereafter prior to the expiration of any extended period of redemption, but only for a period that ~~which~~ will expire not later than 3 years from the date of sale, by filing with the county clerk of the county in which the property is located a written notice to that effect describing the property, stating the date of the sale and specifying the extended period of redemption. Upon receiving the notice, the county clerk shall stamp the date of receipt upon the notice. If the notice is submitted as an electronic record, the county clerk shall acknowledge receipt of the record and shall provide confirmation in the same manner to the certificate holder. The confirmation from the county clerk shall include the date of receipt and shall serve as proof that the notice was filed with the county clerk. The county clerk shall not be required to extend the period of redemption unless the purchaser or his or her assignee obtains this acknowledgement of delivery. If prior to the expiration of the period of redemption or extended period of redemption a petition for tax deed has been filed under Section 22-30, upon application of the petitioner, the court shall allow the purchaser or his or her assignee to extend the period of redemption after expiration of the original period or any extended period of redemption, provided that any extension allowed will expire not later than 3 years from the date of sale, ~~unless the certificate has been assigned to the county collector by order of the court which ordered the property sold, in which case~~

~~the period of redemption shall be extended for such period as may be designated by the holder of the certificate, such period not to exceed 36 months from the date of the assignment to the collector. If the period of redemption is extended, the purchaser or his or her assignee must give the notices provided for in Section 22-10 at the specified times prior to the expiration of the extended period of redemption by causing a sheriff (or if he or she is disqualified, a coroner) of the county in which the property, or any part thereof, is located to serve the notices as provided in Sections 22-15 and 22-20. The notices may also be served as provided in Sections 22-15 and 22-20 by a special process server appointed by the court under Section 22-15 and as provided in Sections 22-15 and 22-20.~~

The changes made to this Section by this amendatory Act of the 103rd General Assembly apply to matters concerning tax certificates issued on or after January 1, 2024.

(Source: P.A. 100-890, eff. 1-1-19; 100-975, eff. 8-19-18; 101-81, eff. 7-12-19.)

(35 ILCS 200/21-400)

Sec. 21-400. Special assessments withdrawn ~~or forfeited~~.

In counties with 3,000,000 or more inhabitants, the county clerk, upon request of the city comptroller or other municipal officer authorized by the city council or board of trustees of any city, village or incorporated town to make such request, shall issue to the city, village or incorporated town, a certificate of withdrawal ~~or forfeiture~~ countersigned by the county collector for each property withdrawn ~~or forfeited~~ for non-payment of any special assessment. The certificate of withdrawal ~~or forfeiture~~ shall describe the property withdrawn ~~or forfeited~~, the date of the withdrawal or forfeiture, and the amount of the special assessment, interest and costs.

(Source: P.A. 76-2254; 88-455.)

(35 ILCS 200/21-405)

Sec. 21-405. Special assessments withdrawn or forfeited.

When property has been forfeited for delinquent general taxes or special assessments, a person desiring to purchase the property shall make application to the county clerk. The application shall be accompanied by a fee of \$10 in counties with 3,000,000 or more inhabitants and \$5 in counties with less than 3,000,000 inhabitants for each item on which application is made. The county clerk shall promptly send notice by registered or certified mail, return receipt requested, to the party in whose name the general taxes were last assessed or paid. The notice shall adequately describe the property, shall state the name and address of the party in whose name the general taxes were last assessed or paid, shall recite that application has been made to purchase the property for forfeited taxes or special assessments and that the property will be sold unless redemption is made within 30 days of the mailing of notice. For 30 days after the mailing, the property may be redeemed under Section 21-370.

If redemption is not made, the county clerk shall receive from the purchaser the amount due on forfeited special assessments, together with the interest, costs and penalties thereon fixed by law, and shall issue an order to the county collector directing him or her to receive from the purchaser the amount of the forfeited general taxes, together with the costs, interest, fees and forfeiture interest provided in Section 21-370. In the order, the county clerk shall recite the amounts received by him or her on account of forfeited special assessments and shall direct the county collector to issue a receipt in the form of a certificate of purchase. Upon presentation of the order of the county clerk, the county collector shall receive the amount due on account of forfeited general taxes, and shall issue a receipt therefor in the form of a certificate of purchase.

The certificate of purchase shall set forth a description of the property, and the amount paid by the purchaser on account of general taxes and special assessments, and shall be countersigned by the county clerk. When so countersigned, the certificate of purchase shall be evidence of the sale of the property and of the receipt by the county collector of the amounts ordered to be received by him or her by the county clerk on account of general taxes, and evidence of receipt by the county clerk of the amount received by him or her on account of forfeited special assessments. A certificate of purchase shall not be valid until it is countersigned by the county clerk. Upon countersigning the certificate, the county clerk shall make a proper entry of the sale of the property on the appropriate books, and charge the amount of the sale money of forfeited general taxes to the collector.

Property purchased under this Section shall be subject to redemption, notice, etc., the same as if sold under Section 21-110 through 21-120. Any special assessment which has been withdrawn from collection by the municipality levying it shall not be subject to sale, but the purchaser, prior to the entry of any order for the issuance of a tax deed based on a sale under this Section, shall pay to the officer entitled to receive the amount due on all the withdrawn special assessments. The purchaser may file his or her receipts with the

county clerk and have them posted on the tax judgment, sale, redemption and forfeiture record at the same rate of penalty and in the same manner as in the case of payment of taxes and special assessments accruing after the sale, as provided in Section 21-355.

This Section does not apply to any application or forfeiture that occurs on or after January 1, 2024.
(Source: P.A. 87-669; 88-455.)

(35 ILCS 200/21-430)

Sec. 21-430. Partial settlement. In the event an owner or party interested requests to make settlement on a part of the property sold to a municipality, withdrawn from collection or forfeited to the county State for the non-payment of special assessments, the municipal officer is hereby authorized to accept the pro rata amount of any or all installments of the special assessment. That amount shall be computed by the board of local improvements, or other board or officer levying the special assessment, together with interest, costs and penalties as provided by law.

A petition containing the computation shall then be presented by the municipality to the court wherein the original assessment was confirmed. The petition shall bear the same number and title as the original proceeding. At least 10 days before the date set for the hearing of the petition, notices shall be sent by mail, postpaid, to each of the persons who last paid the general taxes on the property originally assessed. The notices shall contain the description of the property as originally assessed, as it is to be divided, and the division of the original assessment, or installments thereof, together with interest, costs and penalties, showing the amount to be charged against each part of the property of land so divided, the date when the petition is to be heard, and the date when objections thereto may be filed.

An affidavit by one of the members of the board of local improvements, or other board or officer computing the division, attesting to the mailing is prima facie evidence of a compliance with this Section. The court shall proceed to determine a fair and equitable division of the assessment, or any installment thereof, together with all interest, penalties and costs. The court shall order the cancellation of the certificate of sale, withdrawal or forfeiture on any part of the property if settlement is made within 10 days from the date of the court's order.

The county clerk may note on the certificate the partial cancellation and shall issue a certificate of cancellation on that part of the property and return the certificate to the municipality. Where a certificate of forfeiture or withdrawal has not been issued, the county clerk may accept the Receipt of Deposit for Redemption, issued by the municipal officer, as provided by law, and the clerk shall issue a certificate of cancellation on that part of the property. He or she shall make proper entry on his or her records showing the part of the property on which settlement has been made and the amount due on the balance.

(Source: P.A. 83-358; 88-455.)

(35 ILCS 200/22-5)

Sec. 22-5. Notice of sale and redemption rights. In order to be entitled to a tax deed, within 4 months and 15 days after any sale held under this Code, the purchaser or his or her assignee, and the county for all forfeited certificates from the annual sale, shall deliver to the county clerk a notice to be given to the party in whose name the taxes are last assessed as shown by the most recent tax collector's warrant books, in at least 10 point type in the following form completely filled in:

TAKE NOTICE

County of
Date Premises Sold or Forfeited
Certificate No.
Sold for General Taxes of (year)
Sold for Special Assessment of (Municipality)
and special assessment number
Warrant No. Inst. No.

THIS PROPERTY HAS BEEN SOLD FOR
DELINQUENT TAXES

Property Address (as identified on the most recent tax bill, if available) Property located at
Legal Description or Property Index No.
Property Classification.....
.....
.....

~~This notice is to advise you that the above property has been sold for delinquent taxes and that the period of redemption from the sale will expire on~~

[May 18, 2023]

This notice is ~~also~~ to advise you that a petition ~~may~~ will be filed for a tax deed which will transfer title and the right to possession of the above-referenced ~~this~~ property ("Property") if redemption is not made on or before the redemption deadline.

To determine the redemption deadline and the total amount you must pay to redeem the sold taxes, you must immediately contact the County Clerk at the address, phone number, or email address below. Check with the County Clerk for the exact amount you owe before redeeming. Payment must be made by certified check, cashier's check, money order, or in cash to the County Clerk.

~~At the date of this notice the total amount which you must pay in order to redeem the above property is~~

**YOU ARE URGED TO REDEEM IMMEDIATELY TO
PREVENT LOSS OF PROPERTY**

Property sold under the Property Tax Code may be redeemed by any owner or person holding an interest in the Property at any time before the following deadlines (based on property classification as of the Date of Sale):

You must redeem your taxes within one year of the Date of Sale for the following classifications:

(1) vacant non-farm property;

(2) property containing an improvement consisting of a structure or structures with 7 or more residential units; and

(3) commercial or industrial property.

You must redeem your taxes within 2 1/2 years of the Date of Sale for the following classifications:

(1) all residential property with less than 6 units; and

(2) all other property not covered by the 1-year redemption period outlined above.

Redemption deadlines may have been extended by the certificate holder or pursuant to Illinois law. To confirm the redemption deadline, you must contact the County Clerk at the address, telephone number, or email address below. Redemption can be made at any time on or before by applying to the County Clerk of County, Illinois at the Office of the County Clerk in, Illinois. The address, telephone number, and email address for the County Clerk is as follows:

~~The above amount is subject to increase at 6 month intervals from the date of sale. Check with the county clerk as to the exact amount you owe before redeeming. Payment must be made by certified check, cashier's check, money order, or in cash.~~

For further information contact the County Clerk

ADDRESS:.....

TELEPHONE:.....

For further information about the redemption deadline, redemption amount, or payment process, please contact the County Clerk.

.....
Purchaser or Assignee
Dated (insert date):

Within 10 days after receipt of said notice, the county clerk shall mail to the addresses supplied by the purchaser or assignee, by registered or certified mail, copies of said notice to the party in whose name the taxes are last assessed as shown by the most recent tax collector's warrant books. With the exception of a county or taxing district acquiring certificates pursuant to Section 21-90 and 21-260, all purchasers or assignees shall pay to the clerk postage plus the sum of \$10. The clerk shall write or stamp the date of receiving the notices upon the copies of the notices, and retain one copy.

With the exception of forfeited tax liens or certificates held by the county pursuant to Section 21-90, all redemption periods shall begin on the date of sale. For forfeited tax liens or certificates held by the county pursuant to Section 21-90, the county may cure any defect in a notice, or failure to send a notice as required by this Section, by delivering to the county clerk a notice to be given to the party in whose name the taxes are last assessed as shown by the most recent tax collector's warrant books. The redemption period begins on the date the county delivered the corrected notice to the clerk, if such extension is otherwise permitted by law.

The changes to this Section made by this amendatory Act of the 97th General Assembly apply only to tax sales that occur on or after the effective date of this amendatory Act of the 97th General Assembly.

The changes made to this Section by this amendatory Act of the 103rd General Assembly apply to matters concerning tax certificates issued on or after the effective date of this amendatory Act of the 103rd General Assembly.

(Source: P.A. 102-815, eff. 5-13-22.)

(35 ILCS 200/22-10)

Sec. 22-10. Notice of expiration of period of redemption. A purchaser or assignee shall not be entitled to a tax deed to the property sold unless, not less than 3 months nor more than 6 months prior to the expiration of the period of redemption, he or she gives notice of the sale and the date of expiration of the period of redemption to the owners, occupants, and parties interested in the property, including any mortgagee of record, as provided below. For counties or taxing districts holding certificates pursuant to Section 21-90, the date of expiration of the period of redemption shall be designated by the county or taxing district in its petition for tax deed and identified in the notice below, which shall be filed with the county clerk. ~~the~~

The Notice to be given to the parties shall be in at least 10-point ~~10-point~~ type in the following form completely filled in:

TAX DEED NO. FILED

TAKE NOTICE

County of
Date Premises Sold or Forfeited
Certificate No.
Sold or Forfeited for General Taxes of (year)
Sold for Special Assessment of (Municipality)
and special assessment number
Warrant No. Inst. No.

THIS PROPERTY HAS BEEN SOLD FOR
DELINQUENT TAXES

Property Address (as identified on the most recent tax bill, if available) ~~Property located at~~
Legal Description or Property Index No.
.....
.....

This notice is to advise you that the above property has been sold for delinquent taxes and that the period of redemption from the sale will expire on

~~The amount to redeem is subject to increase at 6 month intervals from the date of sale and may be further increased if the purchaser at the tax sale or his or her assignee pays any subsequently accruing taxes or special assessments to redeem the property from subsequent forfeitures or tax sales. Check with the county clerk as to the exact amount you owe before redeeming.~~

This notice is also to advise you that a petition has been filed for a tax deed which will transfer title and the right to possession of this property if redemption is not made on or before

This matter is set for hearing in the Circuit Court of this county in, Illinois on

You may be present at this hearing but your right to redeem will already have expired at that time.

YOU ARE URGED TO REDEEM IMMEDIATELY
TO PREVENT LOSS OF PROPERTY

Redemption can be made at any time on or before by applying to the County Clerk of, County, Illinois at the Office of the County Clerk in, Illinois.

For further information contact the County Clerk

ADDRESS:.....

TELEPHONE:.....

.....
Purchaser or Assignee.
Dated (insert date).

In counties with 3,000,000 or more inhabitants, the notice shall also state the address, room number, and time at which the matter is set for hearing.

The changes to this Section made by Public Act 97-557 apply only to matters in which a petition for tax deed is filed on or after July 1, 2012 (the effective date of Public Act 97-557).

The changes to this Section made by Public Act 102-1003 ~~this amendatory Act of the 102nd General Assembly~~ apply to matters in which a petition for tax deed is filed on or after May 27, 2022 (the effective date of Public Act 102-1003) ~~this amendatory Act of the 102nd General Assembly~~. Failure of any party or any public official to comply with the changes made to this Section by Public Act 102-528 does not invalidate any tax deed issued prior to May 27, 2022 (the effective date of Public Act 102-1003) ~~this amendatory Act of the 102nd General Assembly~~.

The changes made to this Section by this amendatory Act of the 103rd General Assembly apply to matters concerning tax certificates issued on or after the effective date of this amendatory Act of the 103rd General Assembly.

(Source: P.A. 102-528, eff. 1-1-22; 102-813, eff. 5-13-22; 102-1003, eff. 5-27-22; revised 9-1-22.)
(35 ILCS 200/22-15)

Sec. 22-15. Service of notice. The purchaser or his or her assignee shall give the notice required by Section 22-10 by causing it to be published in a newspaper as set forth in Section 22-20. In addition, the notice shall be served upon owners who reside on any part of the subject property by leaving a copy of the notice with those owners personally. The notice must be served by a sheriff (or if he or she is disqualified, by a coroner) of the county in which the property, or any part thereof, is located or, ~~except in Cook County,~~ by a person who is licensed or registered as a private detective under the Private Detective, Private Alarm, Private Security, Fingerprint Vendor, and Locksmith Act of 2004 upon owners who reside on any part of the property sold by leaving a copy of the notice with those owners personally.

In counties of 3,000,000 or more inhabitants, if the notice required by Section 22-10 is to be served by the sheriff, no sale in error may be declared pursuant to Section 22-50 or subparagraph (5) of subsection (a) of Section 21-310 based upon the sheriff's failure to serve the notice in accordance with this Section unless the notice and service list for the first service attempt is delivered by the purchaser or assignee to the sheriff at least 5 months prior to the expiration of the period of redemption. Purchasers or assignees may request that the sheriff make additional service attempts to the same entities and locations, and the sheriff may make those additional attempts within the noticing period established in Section 22-10, but the sheriff's failure to make such additional service attempts is not grounds for a sale in error under Section 22-50 or subparagraph (5) of subsection (a) of Section 21-310.

In counties of 3,000,000 or more inhabitants, if the purchaser or assignee requests that the sheriff make an additional service attempt upon an entity or to a location that was not included on the service list for the first attempt, then the purchaser or assignee must deliver the notice and service list for the additional service attempt to the sheriff at least 4 months before the expiration of the period of redemption. If the purchaser or assignee delivers the notice and service list for an additional service attempt upon an entity or to a location that was not included on the service list for the first attempt to the sheriff at least 4 months before the expiration of the period of redemption, then the sheriff's failure to serve the notice in accordance with this Section may be grounds for a sale in error under Section 22-50 but not under subparagraph (5) of subsection (a) of Section 21-310. If the purchaser or assignee fails to deliver the notice and service list for an additional service attempt upon an entity or to a location that was not included on the first service list to the sheriff at least 4 months prior to the expiration of the period of redemption, then the sheriff's failure to serve that additional notice in accordance with this Section is not grounds for a sale in error under either Section 22-50 or subparagraph (5) of subsection (a) of Section 21-310.

In counties of 3,000,000 or more inhabitants where a taxing district is a petitioner for tax deed pursuant to Section 21-90, in lieu of service by the sheriff or coroner the notice may be served by a special process server appointed by the circuit court as provided in this Section. The taxing district may move prior to filing one or more petitions for tax deed for appointment of such a special process server. The court, upon being satisfied that the person named in the motion is at least 18 years of age and is capable of serving notice as required under this Code, shall enter an order appointing such person as a special process server for a period of one year. The appointment may be renewed for successive periods of one year each by motion and order, and a copy of the original and any subsequent order shall be filed in each tax deed case in which a notice is served by the appointed person. Delivery of the notice to and service of the notice by the special process server shall have the same force and effect as its delivery to and service by the sheriff or coroner.

The same form of notice shall also be served, in the manner set forth under Sections 2-203, 2-204, 2-205, 2-205.1, and 2-211 of the Code of Civil Procedure, upon all other owners and parties interested in the property, if upon diligent inquiry they can be found in the county, and upon the occupants of the property.

If the property sold has more than 4 dwellings or other rental units, and has a managing agent or party who collects rents, that person shall be deemed the occupant and shall be served with notice instead of the occupants of the individual units. If the property has no dwellings or rental units, but economic or recreational activities are carried on therein, the person directing such activities shall be deemed the occupant. Holders of rights of entry and possibilities of reverter shall not be deemed parties interested in the property.

When a party interested in the property is a trustee, notice served upon the trustee shall be deemed to have been served upon any beneficiary or note holder thereunder unless the holder of the note is disclosed of record.

When a judgment is a lien upon the property sold, the holder of the lien shall be served with notice if the name of the judgment debtor as shown in the transcript, certified copy or memorandum of judgment filed of record is identical, as to given name and surname, with the name of the party interested as it appears of record.

If any owner or party interested, upon diligent inquiry and effort, cannot be found or served with notice in the county as provided in this Section, and the person in actual occupancy and possession is tenant to, or in possession under the owners or the parties interested in the property, then service of notice upon the tenant, occupant or person in possession shall be deemed service upon the owners or parties interested.

If any owner or party interested, upon diligent inquiry and effort cannot be found or served with notice in the county, then the person making the service shall cause a copy of the notice to be sent by registered or certified mail, return receipt requested, to that party at his or her residence, if ascertainable.

The changes to this Section made by Public Act 95-477 apply only to matters in which a petition for tax deed is filed on or after June 1, 2008 (the effective date of Public Act 95-477).

(Source: P.A. 95-195, eff. 1-1-08; 95-477, eff. 6-1-08; 95-876, eff. 8-21-08.)

(35 ILCS 200/22-25)

Sec. 22-25. Mailed notice. In addition to the notice required to be served not less than one month nor more than 6 months prior to the expiration of the period of redemption, the purchaser or his or her assignee shall prepare and deliver to the clerk of the Circuit Court of the county in which the property is located, not more than 6 months and not less than 3 months ~~44 days~~ prior to the expiration of the period of redemption, the notice provided for in this Section, together with the statutory costs for mailing the notice by certified mail, return receipt requested. The form of notice to be mailed by the clerk shall be identical in form to that provided by Section 22-10 for service upon owners residing upon the property sold, except that it shall bear the signature of the clerk instead of the name of the purchaser or assignee and shall designate the parties to whom it is to be mailed. The clerk may furnish the form. The clerk shall mail the notices delivered to him or her by certified mail, return receipt requested, not less than 3 months prior to the expiration of the period of redemption. The certificate of the clerk that he or she has mailed the notices, together with the return receipts, shall be filed in and made a part of the court record. The notices shall be mailed to the owners of the property at their last known addresses, and to those persons who are entitled to service of notice as occupants.

The changes to this Section made by ~~Public Act 97-557 this amendatory Act of the 97th General Assembly~~ shall be construed as being declaratory of existing law and not as a new enactment.

The changes to this Section made by ~~Public Act 102-1003 this amendatory Act of the 102nd General Assembly~~ apply to matters in which a petition for tax deed is filed on or after May 27, 2022 (the effective date of Public Act 102-1003) ~~this amendatory Act of the 102nd General Assembly~~. Failure of any party or any public official to comply with the changes made to this Section by Public Act 102-528 does not invalidate any tax deed issued prior to May 27, 2022 (the effective date of Public Act 102-1003) ~~this amendatory Act of the 102nd General Assembly~~.

(Source: P.A. 102-528, eff. 1-1-22; 102-815, eff. 5-13-22; 102-1003, eff. 5-27-22; revised 8-12-22.)

(35 ILCS 200/22-30)

Sec. 22-30. Petition for deed. At any time within 6 months but not less than 3 months prior to the expiration of the redemption period for property sold pursuant to judgment and order of sale under Sections 21-110 through 21-120 or 21-260 or otherwise acquired by the county pursuant to Section 21-90, the purchaser, or the agent pursuant to Section 21-90, ~~or his or her assignee~~ may file a petition in the circuit court in the same proceeding in which the judgment and order of sale were entered, asking that the court

direct the county clerk to issue a tax deed if the property is not redeemed from the sale. The petition shall be accompanied by the statutory filing fee.

Notice of filing the petition and a date for redemption, after which the date on which the petitioner intends to apply for an order to issue a tax deed if the taxes are not be issued if the property is not redeemed, shall be given to occupants, owners and persons interested in the property as part of the notice provided in Sections 22-10 through 22-25, except that only one publication is required. The county clerk shall be notified of the filing of the petition and any person owning or interested in the property may, if he or she desires, appear in the proceeding.

The changes to this Section made by this amendatory Act of the 95th General Assembly apply only to matters in which a petition for tax deed is filed on or after the effective date of this amendatory Act of the 95th General Assembly.

(Source: P.A. 95-477, eff. 6-1-08.)

(35 ILCS 200/22-35)

Sec. 22-35. Reimbursement of a county or municipality before issuance of tax deed. Except in any proceeding in which the tax purchaser is a county acting as a trustee for taxing districts as provided in Section 21-90, an order for the issuance of a tax deed under this Code shall not be entered affecting the title to or interest in any property in which a county, city, village or incorporated town has an interest under the police and welfare power by advancements made from public funds, until the purchaser or assignee makes reimbursement to the county, city, village or incorporated town of the money so advanced or the county, city, village, or town waives its lien on the property for the money so advanced. ~~In However, in lieu of reimbursing the county, city, village, or town for any advancement of money that have not been waived reimbursement or waiver,~~ the purchaser or his or her assignee may make application for and the court shall order that the tax purchase be set aside as a sale in error. However, a sale in error may not be granted under this Section if:

(1) the lien has been released, satisfied, discharged, or waived; or

(2) the following conditions apply:

(A) the county, city, village, or town does not agree to release, discharge, or waive the lien;

(B) the aggregate total of all such liens recorded against the property by the county, city, village, or town is less than \$5,000; and

(C) the lien or liens secure money advanced by the county, city, village, or town to abate conditions on the property that are in violation of Section 11-20-7, Section 11-20-12, or Section 11-20-13 of the Illinois Municipal Code or any other applicable codes or ordinances adopted by a county, city, village or town pursuant to its emergency authority to abate neglected weeds, grass, trees, bushes, garbage, debris, or graffiti from property.

A filing or appearance fee shall not be required of a county, city, village or incorporated town seeking to enforce its claim under this Section in a tax deed proceeding.

(Source: P.A. 101-379, eff. 1-1-20.)

(35 ILCS 200/22-40)

Sec. 22-40. Issuance of deed; possession.

(a) To obtain an order for issuance of tax deed, the petitioner must provide sufficient evidence that: ~~ff~~
~~the~~

(1) the redemption period has expired ~~expires~~ and the property has not been redeemed; and

(2) all taxes and special assessments which became due and payable subsequent to the sale have been paid, unless the county or its agent, as trustee pursuant to Section 21-90, is the petitioner; and

(3) all forfeitures and sales which occur subsequent to the sale are paid or redeemed, unless the county or its agent, as trustee pursuant to Section 21-90, is the petitioner; ~~have been redeemed and~~

(4) the notices required by law have been given, and all advancements of public funds under the police power made by a county, city, village or town under Section 22-35 have been paid; and

(5) the petitioner has complied with all the provisions of law entitling him or her to a deed.

Upon receipt of sufficient evidence of the requirements under this subsection (a), the court shall find that the petitioner complied with those requirements and shall enter an order directing the county clerk, on the production of the tax certificate and a certified copy of the order, to issue to the purchaser or its assignee a tax deed. ~~the court shall so find and shall enter an order directing the county clerk on the production of the certificate of purchase and a certified copy of the order, to issue to the purchaser or his or her assignee a tax deed.~~ The court shall insist on strict compliance with Section 22-10 through 22-25. Prior to the entry of

an order directing the issuance of a tax deed, the petitioner shall furnish the court with a report of proceedings of the evidence received on the application for tax deed and the report of proceedings shall be filed and made a part of the court record.

(b) Except as provided in subsection (c), if taxes for years prior to the year or years sold are or become delinquent subsequent to the date of sale, the court shall find that the lien of those delinquent taxes has been or will be merged into the tax deed grantee's title if the court determines that the tax deed grantee or any prior holder of the certificate of purchase, or any person or entity under common ownership or control with any such grantee or prior holder of the certificate of purchase, was at no time the holder of any certificate of purchase for the years sought to be merged. If delinquent taxes are merged into the tax deed pursuant to this subsection, the court shall enter an order declaring which specific taxes have been or will be merged into the tax deed title and directing the county treasurer and county clerk to reflect that declaration in the warrant and judgment records; provided, that no such order shall be effective until a tax deed has been issued and timely recorded. Nothing contained in this Section shall relieve any owner liable for delinquent property taxes under this Code from the payment of the taxes that have been merged into the title upon issuance of the tax deed.

(c) The county clerk is entitled to a fee of \$10 in counties of 3,000,000 or more inhabitants and \$5 in counties with less than 3,000,000 inhabitants for the issuance of the tax deed, with the exception of deeds issued to the county pursuant to its authority under Section 21-90. The clerk may not include in a tax deed more than one property as listed, assessed and sold in one description, except in cases where several properties are owned by one person.

Upon application the court shall, enter an order to place the tax deed grantee or the grantee's successor in interest in possession of the property and may enter orders and grant relief as may be necessary or desirable to maintain the grantee or the grantee's successor in interest in possession.

(d) The court shall retain jurisdiction to enter orders pursuant to subsections (b) and (c) of this Section. This amendatory Act of the 92nd General Assembly and this amendatory Act of the 95th General Assembly shall be construed as being declarative of existing law and not as a new enactment.

(e) Prior to the issuance of any tax deed under this Section, the petitioner must redeem all taxes and special assessments on the property that are subject to a pending tax petition filed by a county or its assignee pursuant to Section 21-90.

(f) If, for any reason, a purchaser fails to obtain an order for tax deed within the required time period and no sale in error was granted or redemption paid, then the certificate shall be forfeited to the county, as trustee, pursuant to Section 21-90.

(Source: P.A. 98-1162, eff. 6-1-15.)

(35 ILCS 200/22-60)

Sec. 22-60. Contents of deed; recording. Every tax deed shall contain the full names and the true post office address and residence of grantee. A county receiving a tax deed pursuant to Section 21-90 may designate a specific county agency to be named as the deed grantee. It shall not be of any force or effect, and the recipient shall not take title to the property, until after the deed has been recorded in the office of the recorder.

(Source: P.A. 83-358; 88-455.)".

AMENDMENT NO. 2 TO SENATE BILL 1675

AMENDMENT NO. 2 . Amend Senate Bill 1675 by replacing everything after the enacting clause with the following:

"Section 5. The Property Tax Code is amended by changing Sections 9-260, 18-250, 21-15, 21-25, 21-45, 21-90, 21-118, 21-145, 21-225, 21-235, 21-240, 21-250, 21-310, 21-315, 21-330, 21-350, 21-355, 21-370, 21-385, 21-400, 21-405, 21-430, 22-5, 22-10, 22-15, 22-25, 22-30, 22-35, 22-40, and 22-60 as follows:

(35 ILCS 200/9-260)

Sec. 9-260. Assessment of omitted property; counties of 3,000,000 or more.

(a) After signing the affidavit, the county assessor shall have power, when directed by the board of appeals (until the first Monday in December 1998 and the board of review beginning the first Monday in December 1998 and thereafter), or on his or her own initiative, subject to the limitations of Sections 9-265 and 9-270, to assess properties which may have been omitted from assessments for the current year and not more than 3 years prior to the current year for which the property was liable to be taxed, and for which the

[May 18, 2023]

tax has not been paid, but only on notice and an opportunity to be heard in the manner and form required by law, and shall enter the assessments upon the assessment books. Any notice shall include (i) a request that a person receiving the notice who is not the current taxpayer contact the office of the county assessor and explain that the person is not the current taxpayer, which contact may be made on the telephone, in writing, or in person upon receipt of the notice, and (ii) the name, address, and telephone number of the appropriate personnel in the office of the county assessor to whom the response should be made. Any time period for the review of an omitted assessment included in the notice shall be consistent with the time period established by the assessor in accordance with subsection (a) of Section 12-55. No charge for tax of previous years shall be made against any property if (1) the assessor failed to notify the board of review of the omitted assessment in accordance with subsection (a-1) of this Section; (2) the property was last assessed as unimproved, the owner of such property gave notice of subsequent improvements and requested a reassessment as required by Section 9-180, and reassessment of the property was not made within the 16-month ~~16-month~~ period immediately following the receipt of that notice; (3) the owner of the property gave notice as required by Section 9-265; (4) the assessor received a building permit for the property evidencing that new construction had occurred or was occurring on the property but failed to list the improvement on the tax rolls; (5) the assessor received a plat map, plat of survey, ALTA survey, mortgage survey, or other similar document containing the omitted property but failed to list the improvement on the tax rolls; (6) the assessor received a real estate transfer declaration indicating a sale from an exempt property owner to a non-exempt property owner but failed to list the property on the tax rolls; or (7) the property was the subject of an assessment appeal before the assessor or the board of review that had included the intended omitted property as part of the assessment appeal and provided evidence of its market value.

(a-1) After providing notice and an opportunity to be heard as required by subsection (a) of this Section, the assessor shall render a decision on the omitted assessment, whether or not the omitted assessment was contested, and shall mail a notice of the decision to the taxpayer of record or to the party that contested the omitted assessment. The notice of decision shall contain a statement that the decision may be appealed to the board of review. The decision and all evidence used in the decision shall be transmitted by the assessor to the board of review on or before the dates specified in accordance with Section 16-110.

(b) Any taxes based on the omitted assessment of a property pursuant to Sections 9-260 through 9-270 and Sections 16-135 and 16-140 shall be prepared and mailed at the same time as the estimated first installment property tax bill for the preceding year (as described in Section 21-30) is prepared and mailed. The omitted assessment tax bill is not due until the date on which the second installment property tax bill for the preceding year becomes due. The omitted assessment tax bill shall be deemed delinquent and shall bear interest beginning on the day after the due date of the second installment (as described in Section 21-25). In counties with 3,000,000 or more inhabitants, any ~~any~~ taxes for omitted assessments for a tax year before tax year 2023 that are deemed delinquent after the due date of the second installment tax bill shall bear interest at the rate of 1.5% per month, or portion thereof, until paid or forfeited (as described in Section 21-25). In counties with 3,000,000 or more inhabitants, any taxes for omitted assessments for tax year 2023 or thereafter that are deemed delinquent after the due date of the second installment tax bill shall bear interest at the rate of 0.75% per month, or portion thereof, until paid or forfeited (as described in Section 21-25).

(c) The assessor shall have no power to change the assessment or alter the assessment books in any other manner or for any other purpose so as to change or affect the taxes in that year, except as ordered by the board of appeals (until the first Monday in December 1998 and the board of review beginning the first Monday in December 1998 and thereafter). The county assessor shall make all changes and corrections ordered by the board of appeals (until the first Monday in December 1998 and the board of review beginning the first Monday in December 1998 and thereafter). The county assessor may for the purpose of revision by the board of appeals (until the first Monday in December 1998 and the board of review beginning the first Monday in December 1998 and thereafter) certify the assessment books for any town or taxing district after or when such books are completed.

(Source: P.A. 96-1553, eff. 3-10-11.)

(35 ILCS 200/18-250)

Sec. 18-250. Additions to forfeited taxes and unpaid special assessments; fee for estimate.

(a) When any property has been forfeited for taxes or special assessments, the clerk shall compute the amount of back taxes and special assessments, interest, statutory costs, and printer's fees remaining due, with one year's interest on all taxes forfeited, and enter them upon the collector's books as separate items. Except as otherwise provided in Section 21-375, the aggregate so computed shall be collected in the same manner as the taxes on other property for that year. The county clerk shall examine the forfeitures, and strike

all errors and make corrections as necessary. For counties with fewer than 3,000,000 inhabitants, interest added to forfeitures under this Section shall be at the rate of 12% per year. For counties with 3,000,000 or more inhabitants, interest added to forfeitures under this Section shall accrue at the rate of (i) 12% per year if the forfeiture is for a tax year before tax year 2023 or (ii) 0.75% per month, or portion thereof, if the forfeiture is for tax year 2023 or any tax year thereafter.

(b) In counties with 3,000,000 or more inhabitants, taxes first extended for prior years, or previously extended for prior years for which application for judgment and order of sale is not already pending, shall be added to the tax of the current year, with interest and costs as provided by law. Forfeitures shall not be so added, but they shall remain a lien on the property upon which they were charged until paid or sold as provided by law. There shall be added to such forfeitures annually the same interest as would be added if forfeited annually, until paid or sold, and the addition of each year's interest shall be considered a separate forfeiture. Forfeitures may be redeemed in the manner provided in Section 21-370 or 21-375. Taxes and special assessments for which application for judgment and order of sale is pending, or entered but not enforced for any reason, shall not be added to the tax for the current year. However, if the taxes and special assessments remain unpaid, the property, shall be advertised and sold under judgments and orders of sale to be entered in pending applications, or already entered in prior applications, including judgments and orders of sale under which the purchaser fails to complete his or her purchase.

(c) In counties with 3,000,000 or more inhabitants, on or before January 1, 2001 and during each year thereafter, the county clerk shall compute the amount of taxes on each property that remain due or forfeited for any year prior to the current year and have not become subject to Sections 20-180 through 20-190, and the clerk shall enter the same upon the collector's warrant books of the current and all following years as separate items in a suitable column. The county clerk shall examine the collector's warrant books and the Tax Judgment, Sale, Redemption and Forfeiture records for the appropriate years and may take any other actions as the clerk finds to be necessary or convenient in order to comply with this subsection. On and after January 1, 2001, any taxes for any year remaining due or forfeited against real property in such county not entered on the current collector's warrant books shall be deemed uncollectible and void, but shall not be subject to the posting or other requirements of Sections 20-180 through 20-190.

(d) In counties with 100,000 or more inhabitants, the county clerk shall, when making the annual collector's books, in a suitable column, insert and designate previous forfeitures of general taxes by the word "forfeiture", to be stamped opposite each property forfeited at the last previous tax sale for general taxes and not redeemed or purchased previous to the completion of the collector's books. The collectors of general taxes shall stamp upon all bills rendered and receipts given the information on the collector's books regarding forfeiture of general taxes, and the stamped notation shall also refer the recipient to the county clerk for full information. The county clerk shall be allowed to collect from the person requesting an estimate of costs of redemption of a forfeited property, the fee provided by law.

(Source: P.A. 91-668, eff. 12-22-99.)

(35 ILCS 200/21-15)

Sec. 21-15. General tax due dates; default by mortgage lender. Except as otherwise provided in this Section or Section 21-40, all property upon which the first installment of taxes remains unpaid on the later of (i) June 1 or (ii) the day after the date specified on the real estate tax bill as the first installment due date annually shall be deemed delinquent and shall bear interest after that date. For property located in a county with fewer than 3,000,000 inhabitants, the unpaid taxes shall bear interest at the rate of 1 1/2% per month or portion thereof. For property located in a county with 3,000,000 or more inhabitants, the unpaid taxes shall bear interest at the rate of (i) 1.5% per month, or portion thereof, if the unpaid taxes are for a tax year before 2023 or (ii) 0.75% per month, or portion thereof, if the unpaid taxes are for tax year 2023 or any tax year thereafter. Except as otherwise provided in this Section or Section 21-40, all property upon which the second installment of taxes remains due and unpaid on the later of (i) September 1 or (ii) the day after the date specified on the real estate tax bill as the second installment due date, annually, shall be deemed delinquent and shall bear interest after that date at the same interest rate. Notwithstanding any other provision of law, in counties with fewer than 3,000,000 inhabitants, if a taxpayer owes an arrearage of taxes due to an administrative error, and if the county collector sends a separate bill for that arrearage as provided in Section 14-41, then any part of the arrearage of taxes that remains unpaid on the day after the due date specified on that tax bill shall be deemed delinquent and shall bear interest after that date at the rate of 1 1/2% per month or portion thereof. Notwithstanding any other provision of law, in counties with 3,000,000 or more inhabitants, if a taxpayer owes an arrearage of taxes due to an administrative error, and if the county collector sends a separate bill for that arrearage as provided in Section 14-41, then any part of the arrearage

of taxes that remains unpaid on the day after the due date specified on that tax bill shall be deemed delinquent and shall bear interest after that date at the rate of (i) 1 1/2% per month, or portion thereof, if the arrearage is for a tax year before tax year 2023 or (ii) 0.75% per month, or portion thereof, if the arrearage is for tax year 2023 or any tax year thereafter. All interest collected shall be paid into the general fund of the county. Payment received by mail and postmarked on or before the required due date is not delinquent.

Property not subject to the interest charge in Section 9-260 or Section 9-265 shall also not be subject to the interest charge imposed by this Section until such time as the owner of the property receives actual notice of and is billed for the principal amount of back taxes due and owing.

If an Illinois resident who is a member of the Illinois National Guard or a reserve component of the armed forces of the United States and who has an ownership interest in property taxed under this Act is called to active duty for deployment outside the continental United States and is on active duty on the due date of any installment of taxes due under this Act, he or she shall not be deemed delinquent in the payment of the installment and no interest shall accrue or be charged as a penalty on the installment until 180 days after that member returns from active duty. To be deemed not delinquent in the payment of an installment of taxes and any interest on that installment, the reservist or guardsperson must make a reasonable effort to notify the county clerk and the county collector of his or her activation to active duty and must notify the county clerk and the county collector within 180 days after his or her deactivation and provide verification of the date of his or her deactivation. An installment of property taxes on the property of any reservist or guardsperson who fails to provide timely notice and verification of deactivation to the county clerk is subject to interest and penalties as delinquent taxes under this Code from the date of deactivation.

Notwithstanding any other provision of law, when any unpaid taxes become delinquent under this Section through the fault of the mortgage lender, (i) the interest assessed under this Section for delinquent taxes shall be charged against the mortgage lender and not the mortgagor and (ii) the mortgage lender shall pay the taxes, redeem the property and take all necessary steps to remove any liens accruing against the property because of the delinquency. In the event that more than one entity meets the definition of mortgage lender with respect to any mortgage, the interest shall be assessed against the mortgage lender responsible for servicing the mortgage. Unpaid taxes shall be deemed delinquent through the fault of the mortgage lender only if: (a) the mortgage lender has received all payments due the mortgage lender for the property being taxed under the written terms of the mortgage or promissory note secured by the mortgage, (b) the mortgage lender holds funds in escrow to pay the taxes, and (c) the funds are sufficient to pay the taxes after deducting all amounts reasonably anticipated to become due for all hazard insurance premiums and mortgage insurance premiums and any other assessments to be paid from the escrow under the terms of the mortgage. For purposes of this Section, an amount is reasonably anticipated to become due if it is payable within 12 months from the time of determining the sufficiency of funds held in escrow. Unpaid taxes shall not be deemed delinquent through the fault of the mortgage lender if the mortgage lender was directed in writing by the mortgagor not to pay the property taxes, or if the failure to pay the taxes when due resulted from inadequate or inaccurate parcel information provided by the mortgagor, a title or abstract company, or by the agency or unit of government assessing the tax.

(Source: P.A. 97-944, eff. 8-10-12; 98-286, eff. 1-1-14.)

(35 ILCS 200/21-25)

Sec. 21-25. Due dates; accelerated billing in counties of 3,000,000 or more. Except as hereinafter provided and as provided in Section 21-40, in counties with 3,000,000 or more inhabitants in which the accelerated method of billing and paying taxes provided for in Section 21-30 is in effect, the estimated first installment of unpaid taxes shall be deemed delinquent and shall bear interest after March 1 and until paid or forfeited at the rate of (i) 1 1/2% per month or portion thereof if the unpaid taxes are for a tax year before 2023 or (ii) 0.75% per month, or portion thereof, if the unpaid taxes are for tax year 2023 or any tax year thereafter until paid or forfeited. For tax year 2010, the estimated first installment of unpaid taxes shall be deemed delinquent and shall bear interest after April 1 at the rate of 1.5% per month or portion thereof until paid or forfeited. For tax year 2022, the estimated first installment of unpaid taxes shall be deemed delinquent and shall bear interest after April 1, 2023 at the rate of 1.5% per month or portion thereof until paid or forfeited. For all tax years, the second installment of unpaid taxes shall be deemed delinquent and shall bear interest after August 1 annually at the same interest rate until paid or forfeited. Notwithstanding any other provision of law, if a taxpayer owes an arrearage of taxes due to an administrative error, and if the county collector sends a separate bill for that arrearage as provided in Section 14-41, then any part of the arrearage of taxes that remains unpaid on the day after the due date specified on that tax bill shall be deemed delinquent and shall bear interest after that date at the rate of (i) 1 1/2% per month, or portion thereof, if the

unpaid taxes are for a tax year before 2023 or (ii) 0.75% per month, or portion thereof, if the unpaid taxes are for tax year 2023 or any tax year thereafter.

If the county board elects by ordinance adopted prior to July 1 of a levy year to provide for taxes to be paid in 4 installments, each installment for that levy year and each subsequent year shall be deemed delinquent and shall begin to bear interest 30 days after the date specified by the ordinance for mailing bills, at the rate of 1 1/2% per month, or portion thereof, until paid or forfeited. If the unpaid taxes are for a tax year before 2023, then interest shall accrue at the rate of 1.5% per month, or portion thereof, until paid or forfeited. If the unpaid taxes are for tax year 2023 or any tax year thereafter, then interest shall accrue at the rate of 0.75% per month, or portion thereof, until paid or forfeited.

Payment received by mail and postmarked on or before the required due date is not delinquent.

Taxes levied on homestead property in which a member of the National Guard or reserves of the armed forces of the United States who was called to active duty on or after August 1, 1990, and who has an ownership interest, shall not be deemed delinquent and no interest shall accrue or be charged as a penalty on such taxes due and payable in 1991 or 1992 until one year after that member returns to civilian status.

If an Illinois resident who is a member of the Illinois National Guard or a reserve component of the armed forces of the United States and who has an ownership interest in property taxed under this Act is called to active duty for deployment outside the continental United States and is on active duty on the due date of any installment of taxes due under this Act, he or she shall not be deemed delinquent in the payment of the installment and no interest shall accrue or be charged as a penalty on the installment until 180 days after that member returns to civilian status. To be deemed not delinquent in the payment of an installment of taxes and any interest on that installment, the reservist or guardsperson must make a reasonable effort to notify the county clerk and the county collector of his or her activation to active duty and must notify the county clerk and the county collector within 180 days after his or her deactivation and provide verification of the date of his or her deactivation. An installment of property taxes on the property of any reservist or guardsperson who fails to provide timely notice and verification of deactivation to the county clerk is subject to interest and penalties as delinquent taxes under this Code from the date of deactivation.

(Source: P.A. 102-1112, eff. 12-21-22.)

(35 ILCS 200/21-45)

Sec. 21-45. Failure to issue tax bill in prior year. In the event no tax bill was issued as provided in Section 21-30, on any property in any previous year for any reason, one tax bill shall be prepared and mailed by July 1 of the year subsequent to the year in which no tax bill was issued, and taxes on that property for that year only shall bear interest after the first day of August of that year. In counties with fewer than 3,000,000 inhabitants, interest shall accrue at the rate of 1 1/2% per month or portion thereof until paid or forfeited. In counties with 3,000,000 or more inhabitants, if the taxes are for a tax year before tax year 2023, then interest shall accrue at the rate of 1.5% per month, or portion thereof, until paid or forfeited. In counties with 3,000,000 or more inhabitants, if the taxes are for the 2023 tax year or any tax year thereafter, then interest shall accrue at the rate of 0.75% per month, or portion thereof, until paid or forfeited.

(Source: P.A. 87-17; 88-455.)

(35 ILCS 200/21-90)

Sec. 21-90. Purchase and sale by county; distribution of proceeds.

(a) When any property is ~~delinquent, or is forfeited for each of 2 or more years, and is offered for sale under any of the provisions of this Code, the county board~~ County Board of the county ~~County~~ in which the property is located, in its discretion, may bid, or, in the case of forfeited property, may apply to purchase it or otherwise acquire the tax lien or certificate; in the name of the county ~~County~~ as trustee for all taxing districts having an interest in the property's taxes or special assessments for the nonpayment of which the property is sold. The presiding officer of the county board, with the advice and consent of the ~~board~~ Board, may appoint on its behalf some officer, ~~or person, or entity~~ to attend such sales, bid on tax liens or certificates, and act on behalf of the county when exercising its authority under this Section ~~and bid or, in the case of forfeited property, to apply to the county clerk to purchase.~~ The county ~~County~~ shall apply on the bid or purchase the unpaid taxes and special assessments due upon the property. No cash need be paid.

(b) The county, as trustee for all taxing districts having an interest in the property's taxes or special assessments, shall be the designated holder of all tax liens or certificates that are forfeited to the State or county. No cash need be paid for the forfeited tax lien or certificate.

(c) For any tax lien or certificate acquired under subsection (a) or (b) of this Section, the county ~~The County~~ may take steps necessary to acquire title to the property and may manage and operate the property, including, but not limited to, mowing of grass, removal of nuisance greenery, removal of garbage, waste,

debris or other materials, or the demolition, repair, or remediation of unsafe structures. When a county, or other taxing district within the county, is a petitioner for a tax deed, no filing fee shall be required. When a county or other taxing district within the county is the petitioner for a tax deed, one petition may be filed including all parcels that are tax delinquent within the county or taxing district, and any publication made under Section 22-20 of this Code may combine all such parcels within a single notice. The notice may include the street address as listed on the most recent available tax bills, if available, and shall list the Property Index Number ~~shall list the street or common address, if known,~~ of the parcels for informational purposes. The county, as tax creditor and as trustee for other tax creditors, or other taxing district within the county, shall not be required to allege and prove that all taxes and special assessments which become due and payable after the sale or forfeiture to the county have been paid nor shall the county be required to pay the subsequently accruing taxes or special assessments at any time. The county board or its designee may prohibit the county collector from including the property in the tax sale of one or more subsequent years. The lien of taxes and special assessments which become due and payable after a sale to a county shall merge in the fee title of the county, or other taxing district within the county, on the issuance of a deed.

The county ~~County~~ may sell any ~~or assign~~ the property ~~so~~ acquired with authority provided in this Section, or assign any tax ~~the certificate of purchase to it,~~ to any party, including, but not limited to, taxing districts, municipalities, land banks created pursuant to Illinois law, or non-profit developers focused on constructing affordable housing.

The assigned tax certificate shall be void with no further rights given to the assignee, including no right to refund or reimbursement, if a tax deed has not been recorded within 4 years after the date of the assignment unless a court extends the assignment period as provided in this Section. Upon a motion by the assignee, a court may toll the 4-year deadline for a specified period of time if the court finds the assignee is prevented from obtaining or recording a deed by injunction or order of any court, by the refusal or inability of any court to act upon the application for a tax deed, by a municipality's refusal to issue necessary transfer stamps or approvals for recording, or by the refusal of the clerk to execute the deed. If an assigned tax certificate is void under this Section, it shall be forfeited to the county and held as a valid certificate of sale in the county's name pursuant to this Section 21-90. The proceeds of any ~~that~~ sale or assignment under this Section, less all costs of the county incurred in the acquisition, operation, maintenance, and sale ~~or assignment~~ of the property or assignment of the tax certificate, including all costs associated with county staff and overhead used to perform the duties of the trustee set forth in this Section, shall be distributed to the taxing districts in proportion to their respective interests therein.

Under Sections 21-110, 21-115, 21-120, and 21-190 ~~and 21-405~~, a county ~~County~~ may bid or purchase only in the absence of other bidders.
(Source: P.A. 102-363, eff. 1-1-22.)

(35 ILCS 200/21-118)

Sec. 21-118. Tax sale; online database. At least 10 days prior to any tax sale authorized under this Article 21, the county collector may post on his or her website a list of all properties that are eligible to be sold at the sale. The list shall include the street address on file with the county collector, if available, and shall include the PIN number assigned to the property. The list may not include the name of the property owner. The list may designate properties on which a sale in error has previously been declared, provided that those designations are posted at least 7 days before any tax sale authorized under this Article 21. If the list designates properties as properties on which a sale in error has previously been declared, the list shall also include the court case number or administrative number under which the declaration of the sale in error was made and the basis for the sale in error. No sale in error may be declared under this Code based upon an omission from or error on the list of designated properties.

(Source: P.A. 97-557, eff. 7-1-12.)

(35 ILCS 200/21-145)

Sec. 21-145. Scavenger sale. At the same time the county collector ~~County Collector~~ annually publishes the collector's annual sale advertisement under Sections 21-110, 21-115, and 21-120, it is mandatory for the collector in counties with 3,000,000 or more inhabitants, and in other counties may, if the county board so orders by resolution, ~~to~~ publish an advertisement giving notice of the intended sale of certain tax liens and certificates that have been forfeited and are held by the county pursuant to Section 21-90 application for judgment and sale of all properties upon which all or a part of the general taxes for each of 3 or more years are delinquent as of the date of the advertisement. Under no circumstance may a tax year be offered at a scavenger sale prior to the annual tax sale for that tax year (or, for omitted assessments issued pursuant to Section 9-260, the annual tax sale for that omitted assessment's warrant year, as defined

herein). ~~In no event may there be more than 2 consecutive years without a sale under this Section, except where a tax sale has been delayed pursuant to Section 21-150 as a result of a statewide COVID-19 public health emergency. The term delinquent also includes forfeitures.~~

The county collector ~~County Collector~~ shall include in the advertisement and in the application for judgment and sale under this Section and Section 21-260 the total amount of all general taxes upon those properties which are delinquent as of the date of the advertisement. In lieu of a single annual advertisement and application for judgment and sale under this Section and Section 21-260, the county collector ~~County Collector~~ may, from time to time, beginning on the date of the publication of the annual sale advertisement and before August 1 of the next year, publish separate advertisements and make separate applications on eligible properties described in one or more volumes of the delinquent list. The separate advertisements and applications shall, in the aggregate, include all the properties which otherwise would have been included in the single annual advertisement and application for judgment and sale under this Section. Upon the written request of the taxing district which levied the same, the county collector may ~~County Collector shall~~ also include in the advertisement the special taxes and special assessments, together with interest, penalties and costs thereon upon those properties which are delinquent as of the date of the advertisement. The advertisement and application for judgment and sale shall be in the manner prescribed by this Code relating to the annual advertisement and application for judgment and sale of delinquent properties.

As used in this Section, the term delinquent also includes tax liens and certificates forfeited to the county as trustee and held pursuant to Section 21-90, if those tax liens or certificates are approved for sale by the county board. Any tax lien or certificate held by the county pursuant to Section 21-90 that is offered at a scavenger sale shall be assigned by the county to the winning bidder at the scavenger sale as set forth in Section 21-90. After 4 years from the date of assignment, the assignment is void and the tax certificate shall be forfeited back to the county and held pursuant to Section 21-90, unless a tax deed has been issued and recorded by the assignee or a court order to toll the deadline pursuant to Section 21-90 is entered.

As used in this Section, "warrant year" means the year preceding the calendar year in which the omitted assessment first became due and payable.
(Source: P.A. 101-635, eff. 6-5-20; 102-519, eff. 8-20-21.)

(35 ILCS 200/21-225)

~~Sec. 21-225. Forfeited tax liens and certificates property. Every tax lien or certificate for property offered at public sale, and not sold for want of bidders, unless it is released from sale by the withdrawal from collection of a special assessment levied thereon, shall be forfeited to the county, as trustee for the taxing districts, and managed pursuant to Section 21-90 State of Illinois. Tax certificates are also forfeited to the county in those circumstances described in subsection (d) of Section 21-310 and subsection (f) of Section 22-40 of this Code. However, when the court, county clerk and county treasurer certify that the taxes and special assessments not withdrawn from collection on forfeited property equal or exceed the actual value of the property, the county collector shall, on the receipt of such certificate, offer the property for sale to the highest bidder, after first giving 10 days' notice in counties with less than 10,000 inhabitants, according to the most recent federal decennial census, and 30 days' notice in all other counties, in the manner described in Sections 21-110 and 21-115, of the time and place of sale, together with a description of the property to be offered. A certificate of purchase shall be issued to the purchaser at the sale as in other cases provided in this Code. The county collector shall receive credit in the settlement with the taxing bodies for which the tax was levied for the amount not realized by the sale. The amount received from the sale shall be paid by the collector, pro rata, to the taxing bodies entitled to it.~~

(Source: P.A. 97-557, eff. 7-1-12.)

(35 ILCS 200/21-235)

Sec. 21-235. Record of forfeitures. All tax liens and certificates ~~properties~~ forfeited to the county ~~State~~ at the sale shall be noted on the Tax Judgment, Sale, Redemption and Forfeiture Record.

In counties with less than 3,000,000 inhabitants, a list of all property charged with delinquent special assessments and forfeited to the county ~~State~~ at the sale shall be returned to the collector of the levying municipality.

(Source: P.A. 76-2254; 88-455.)

(35 ILCS 200/21-240)

Sec. 21-240. ~~Payment for property purchased at tax sale; reoffering for sale. Payment for property purchased at tax sale; reoffering for sale.~~ Except as otherwise provided below, the person purchasing any property, or any part thereof, shall be liable to the county for the amount due and shall forthwith pay to the county collector the amount charged on the property. Upon failure to do so, the amount due shall be

recoverable in a civil action brought in the name of the People of the State of Illinois in any court of competent jurisdiction. The person so purchasing shall be relieved of liability only by payment of the amount due together with interest and costs thereon, or if the property is reoffered at the sale, purchased and paid for. Reoffering of the property for sale shall be at the discretion of the collector. The sale shall not be closed until payment is made or the property again offered for sale. In counties with 3,000,000 or more inhabitants, only the taxes, special assessments, interest and costs as advertised in the sale shall be required to be paid forthwith. Except if the purchaser is the county as trustee pursuant to Section 21-90, the ~~The~~ general taxes charged on the land remaining due and unpaid, including amounts subject to certificates of error, not included in the advertisement, shall be paid by the purchaser within 10 days after the sale, except that upon payment of the fee provided by law to the County Clerk (which fee shall be deemed part of the costs of sale) the purchaser may make written application, within the 10 day period, to the county clerk for a statement of all taxes, interest and costs due and an estimate of the cost of redemption of all forfeited general taxes, which were not included in the advertisement. After obtaining such statement and estimate and an order on the county collector to receive the amount of forfeited general taxes, if any, the purchaser shall pay to the county collector all the remaining taxes, interest and costs, and the amount necessary to redeem the forfeited general taxes. The county collector shall issue the purchaser a receipt therefor. Any delay in providing the statement or in accepting payment, and delivering receipt therefor, shall not be counted as a part of the 10 days. When the receipt of the collector is issued, a copy shall be filed with the county clerk and the county clerk shall include the amount shown in such receipt in the amount of the purchase price of the property in the certificate of purchase. The purchaser then shall be entitled to a certificate of purchase. If a purchaser fails to complete his or her purchase as provided in this Section, the purchase shall become void, and be of no effect, but the collector shall not refund the amount paid in cash at the time of the sale, except in cases of sale in error under subsection (a) of Section 21-310. That amount shall be treated as a payment and distributed to the taxing bodies as other collections are distributed. The lien for taxes for the amount paid shall remain on the property, in favor of the purchaser, his or her heirs or assigns, until paid with 5% interest per year on that amount from the date the purchaser paid it. The amount and fact of such ineffective purchase shall be entered in the tax judgment, sale, redemption and forfeiture record opposite the property upon which the lien remains. No redemption shall be made without payment of this amount for the benefit of the purchaser, and no future sale of the property shall be made except subject to the lien of such purchaser. This section shall not apply to any purchase by any city, village or incorporated town in default of other bidders at any sale for delinquent special assessments.

(Source: P.A. 84-1308; 88-455.)

(35 ILCS 200/21-250)

Sec. 21-250. Certificate of purchase. The county clerk shall make out and deliver to the purchaser of any property sold under Section 21-205, or to the county if the lien is acquired pursuant to Section 21-90 and a certificate is requested by the county or its agent, a tax certificate ~~of purchase~~ countersigned by the collector, describing the property sold, the date of sale, the amount of taxes, special assessments, interest and cost for which they were sold and that payment of the sale price has been made. If any person becomes the purchaser of more than one property owned by one party or person, the purchaser may have the whole or one or more of them included in one certificate, but separate certificates shall be issued in all other cases. A tax certificate ~~of purchase~~ shall be assignable by endorsement. An assignment shall vest in the assignee or his or her legal representatives, all the right and title of the original purchaser.

If the tax certificate is lost or destroyed, the county clerk shall issue a duplicate certificate upon written request and a sworn affidavit by the tax sale purchaser, or his or her assignee, that the tax certificate is lost or destroyed. The county clerk shall cause a notation to be made in the tax sale and judgment book that a duplicate certificate has been issued, and redemption payments shall be made only to the holder of the duplicate certificate.

(Source: P.A. 88-455; 89-617, eff. 9-1-96.)

(35 ILCS 200/21-310)

Sec. 21-310. Sales in error.

(a) When, upon application of the county collector, the owner of the certificate of purchase, the holder of a 5% lien issued pursuant to Section 21-240, or a municipality which owns or has owned the property ordered sold, it appears to the satisfaction of the court which ordered the property sold that any of the following subsections are applicable, the court shall declare the sale to be a sale in error:

(1) the property was not subject to taxation, or all or any part of the lien of taxes sold has become null and void pursuant to Section 21-95 or unenforceable pursuant to subsection (c) of Section 18-250 or subsection (b) of Section 22-40; ¶

(2) the taxes or special assessments had been paid prior to the sale of the property; ¶

(3) there is a double assessment; ¶

(4) the description is void for uncertainty; ¶

(5) the assessor, chief county assessment officer, board of review, board of appeals, or other county official has made an error material to the tax certificate at issue (other than an error of judgment as to the value of any property), provided, however, that a sale in error may not be declared upon application of the owner of the certificate of purchase under this paragraph (5) if the county collector provided notice in accordance with Section 21-118 that the same property received a previous sale in error on the same facts;

(5.5) the owner of the homestead property had tendered timely and full payment to the county collector that the owner reasonably believed was due and owing on the homestead property, and the county collector did not apply the payment to the homestead property; provided that this provision applies only to homeowners, not their agents or third-party payors; ¶

(6) ~~prior to the tax sale~~ a voluntary or involuntary petition was has been filed by or against the legal or beneficial owner of the property requesting relief under the provisions of 11 U.S.C. Chapter 7, 11, 12, or 13, and the bankruptcy case was open on the date the collector's application for judgment was filed pursuant to Section 21-150 or 21-155 or the date of the tax sale;

(7) the property is owned by the United States, the State of Illinois, a municipality, or a taxing district; ¶ or

(8) the owner of the property is a reservist or guardsperson who is granted an extension of his or her due date under Sections 21-15, 21-20, and 21-25 of this Act.

(b) When, upon application of the owner of the certificate of purchase only, it appears to the satisfaction of the court which ordered the property sold that any of the following subsections are applicable, the court shall declare the sale to be a sale in error:

(1) A voluntary or involuntary petition under the provisions of 11 U.S.C. Chapter 7, 11, 12, or 13 has been filed subsequent to the tax sale and prior to the issuance of the tax deed, and the bankruptcy case was open on the date the petition for a sale in error was filed.

(2) The improvements upon the property sold have been substantially destroyed ~~or rendered uninhabitable or otherwise unfit for occupancy~~ subsequent to the tax sale and prior to the issuance of the tax deed; however, if the court declares a sale in error under this paragraph (2), the court may order the holder of the certificate of purchase to assign the certificate to the county collector if requested by the county collector. The county collector may, upon request of the county, as trustee, or upon request of a taxing district having an interest in the taxes sold, further assign any certificate of purchase received pursuant to this paragraph (2) to the county acting as trustee for taxing districts pursuant to Section 21-90 of this Code or to the taxing district having an interest in the taxes sold.

(3) There is an interest held by the United States in the property sold which could not be extinguished by the tax deed.

(4) The real property contains a hazardous substance, hazardous waste, or underground storage tank that would require cleanup or other removal under any federal, State, or local law, ordinance, or regulation, only if the tax purchaser purchased the property without actual knowledge of the hazardous substance, hazardous waste, or underground storage tank. The presence of a grease trap on the property is not grounds for a sale in error under this paragraph (4). This paragraph (4) applies only if the owner of the certificate of purchase has made application for a sale in error at any time before the issuance of a tax deed. If the court declares a sale in error under this paragraph (4), the court may order the holder of the certificate of purchase to assign the certificate to the county collector if requested by the county collector. The county collector may, upon request of the county, as trustee, or upon request of a taxing district having an interest in the taxes sold, further assign any certificate of purchase received pursuant to this paragraph (4) to the county acting as trustee for taxing districts pursuant to Section 21-90 of this Code or to the taxing district having an interest in the taxes sold.

Whenever a court declares a sale in error under this subsection (b), ~~the State's attorney court~~ shall promptly notify the county collector in writing. ~~Every such declaration pursuant to any provision of this subsection (b) shall be made within the proceeding in which the tax sale was authorized.~~

(c) When the county collector discovers, prior to the expiration of the period of redemption, that a tax sale should not have occurred for one or more of the reasons set forth in subdivision (a)(1), (a)(2), (a)(3), (a)(4), (a)(5.5), (a)(6), or (a)(8) of this Section, the county collector shall notify the last known owner of the tax certificate of purchase by certified and regular mail, or other means reasonably calculated to provide actual notice, that the county collector intends to declare an administrative sale in error and of the reasons therefor, including documentation sufficient to establish the reason why the sale should not have occurred. The owner of the certificate of purchase may object in writing within 28 days after the date of the mailing by the county collector. If an objection is filed, the county collector shall not administratively declare a sale in error, but may apply to the circuit court for a sale in error as provided in subsection (a) of this Section. Thirty days following the receipt of notice by the last known owner of the certificate of purchase, or within a reasonable time thereafter, the county collector shall make a written declaration, based upon clear and convincing evidence, that the taxes were sold in error and shall deliver a copy thereof to the county clerk within 30 days after the date the declaration is made for entry in the tax judgment, sale, redemption, and forfeiture record pursuant to subsection (d) of this Section. The county collector shall promptly notify the last known owner of the certificate of purchase of the declaration by regular mail and shall, except if the certificate was issued pursuant to a no-cash bid, promptly pay the amount of the tax sale, together with interest and costs as provided in Section 21-315, upon surrender of the original certificate of purchase.

(d) If a sale is declared to be a sale in error for any reason set forth in Section 22-35, Section 22-50, or subdivision (a)(5), (b)(2), or (b)(4) of this Section, the tax certificate shall be forfeited to the county as trustee pursuant to Section 21-90 of this Code, unless the county collector informs the county and the county clerk in writing that the tax certificate shall not be forfeited to the county as trustee. The ~~county~~ county clerk shall make entry in the tax judgment, sale, redemption and forfeiture record, that the property was erroneously sold and that the tax certificate is forfeited to the county pursuant to Section 21-90, and the county collector shall, on demand of the owner of the certificate of purchase, refund the amount paid, except for the nonrefundable \$80 fee paid, pursuant to Section 21-295, for each item purchased at the tax sale, pay any interest and costs as may be ordered under Sections 21-315 through 21-335, and cancel the certificate so far as it relates to the property. The county collector shall deduct from the accounts of the appropriate taxing bodies their pro rata amounts paid. Alternatively, for sales in error declared under subsection (b)(2) or (b)(4), the county collector may request the circuit court to direct the county clerk to record any assignment of the tax certificate to or from the county collector without charging a fee for the assignment. The owner of the certificate of purchase shall receive all statutory refunds and payments. The county collector shall deduct costs and payments in the same manner as if a sale in error had occurred.

(e) Whenever the collector declares an administrative sale in error under this Section, the collector must send a copy of the declaration of the administrative sale in error, and documentation sufficient to establish the reason why the sale should not have occurred, to the government entity responsible for maintaining assessment books and property record cards for the subject property. That entity must review the documentation sent by the collector, make a determination as to whether an update to the assessment books or property record cards is necessary to prevent a recurrence of the sale in error, and update the assessment books or property record cards as appropriate.

(f) Whenever a court declares a sale in error under this Section, the State's attorney must send a copy of the application and order declaring the sale in error to the county collector, the county clerk, and the government entity responsible for maintaining the assessment books and property record cards for the subject property. The collector, the county clerk, and the other government entity must each review the application and order sent by the State's attorney and make a determination as to whether an update to its respective records is necessary to prevent a recurrence of the sale in error, and update its records as appropriate.

The changes made to this Section by this amendatory Act of the 103rd General Assembly apply to matters concerning tax certificates issued on or after the effective date of this amendatory Act of the 103rd General Assembly.

(Source: P.A. 100-890, eff. 1-1-19; 101-379, eff. 1-1-20; 101-659, eff. 3-23-21.)

(35 ILCS 200/21-315)

Sec. 21-315. Refund of costs; interest on refund.

(a) If a sale in error under Section 21-310, 22-35, or 22-50 is declared, the amount refunded shall also include all costs paid by the owner of the certificate of purchase or his or her assignor which were posted to the tax judgment, sale, redemption and forfeiture record, except that if the sale in error is declared under

Section 22-50, in counties of 3,000,000 or more inhabitants the amount refunded shall not include the \$100 fee paid in accordance with Section 21-330.

(b) In those cases which arise solely under grounds set forth in Section 21-310, the amount refunded shall also include interest on the refund of the amount paid for the certificate of purchase, except as otherwise provided in this Section. Interest shall be awarded and paid to the tax purchaser at the rate of 1% per month from the date of sale to the date of payment, or in an amount equivalent to the penalty interest which would be recovered on a redemption at the time of payment pursuant to the order for sale in error, whichever is less. Interest shall not be paid when the sale in error is made pursuant to ~~paragraph (2) or (4) of subsection (b) of Section 21-310~~, Section 22-35, Section 22-50, subdivision (a)(5), (b)(1), (b)(2), or (b)(4) of Section 21-310, any ground not enumerated in Section 21-310, or in any other case where the court determines that the tax purchaser had actual knowledge prior to the sale of the grounds on which the sale is declared to be erroneous.

(c) When the county collector files a petition for sale in error under Section 21-310 and mails a notice thereof by certified or registered mail to the last known owner of the certificate of purchase, any interest otherwise payable under this Section shall cease to accrue as of the date the petition is filed, unless the tax purchaser agrees to an order for sale in error upon the presentation of the petition to the court. Notices under this subsection may be mailed to the last known owner of the certificate of purchase. When the owner of the certificate of purchase contests the collector's petition solely to determine whether the grounds for sale in error are such as to support a claim for interest, the court may direct that the principal amount of the refund be paid to the owner of the certificate of purchase forthwith. If the court thereafter determines that a claim for interest lies under this Section, it shall award such interest from the date of sale to the date the principal amount was paid. If the owner of the certificate of purchase files an objection to the county collector's intention to declare an administrative sale in error, as provided under subsection (c) of Section 21-310, and, thereafter, the county collector elects to apply to the circuit court for a sale in error under subsection (a) of Section 21-310, then, if the circuit court grants the county collector's application for a sale in error, the court may not award interest to the owner of the certificate of purchase for the period after the mailing date of the county collector's notice of intention to declare an administrative sale in error.

(Source: P.A. 94-662, eff. 1-1-06.)

(35 ILCS 200/21-330)

Sec. 21-330. Fund for payment of interest. In all counties of less than 3,000,000 inhabitants, the county board, by resolution, may impose a fee for payment of interest and costs. Each person purchasing any property at a sale under this Code shall pay to the county collector, prior to the issuance of any certificate of purchase, a fee of up to \$60 for each item purchased. Each person purchasing any property at a sale held under this Code in a county with 3,000,000 or more inhabitants shall pay to the county collector, prior to the issuance of any certificate of purchase, a fee of \$100 for each item purchased. That amount shall be included in the price paid for the certificate of purchase and the amount required to redeem under Section 21-355.

All sums of money received under this Section shall be paid by the collector to the county treasurer of the county in which the property is situated for deposit into a special fund. It shall be the duty of the county treasurer, as trustee of the fund, to invest the principal and income of the fund from time to time, if not immediately required for payments under this Section, in investments as are authorized by Sections 3-10009 and 3-11002 of the Counties Code. The fund shall be held to pay interest and costs by the county treasurer as trustee of the fund. No payment shall be made from the fund except by order of the court declaring a sale in error under Section 21-310, 22-35, or 22-50 or by declaration of the county collector under subsection (c) of Section 21-310. Payments under this Section are subject to the provisions of subsection (a) of Section 21-315 concerning sales in error declared under Section 22-50 in counties of 3,000,000 or more inhabitants. Any moneys accumulated in the fund by the county treasurer in excess of (i) \$100,000 in counties with 250,000 or less inhabitants or (ii) \$500,000 in counties with more than 250,000 inhabitants shall be paid each year prior to the commencement of the annual tax sale, first to satisfy any existing unpaid judgments entered pursuant to Section 21-295, and any funds remaining thereafter shall be paid to the general fund of the county.

(Source: P.A. 100-1070, eff. 1-1-19.)

(35 ILCS 200/21-350)

Sec. 21-350. Period of redemption. Property sold under this Code may be redeemed at any time before the expiration of 2.5 years from the date of sale, except that:

(a) If on the date of sale the property is vacant non-farm property or property containing an improvement consisting of a structure or structures with 7 or more residential units or that is commercial or industrial property, it may be redeemed at any time before the expiration of 1 year 6 months from the date of sale ~~if the property, at the time of sale, was for each of 2 or more years delinquent or forfeited for all or part of the general taxes due on the property.~~

~~(b) (Blank) If on the date of sale the property sold was improved with a structure consisting of at least one and not more than 6 dwelling units it may be redeemed at any time on or before the expiration of 2 years and 6 months from the date of sale. If, however, the court that ordered the property sold, upon the verified petition of the holder of the certificate of purchase brought within 4 months from the date of sale, finds and declares that the structure on the property is abandoned, then the court may order that the property may be redeemed at any time on or before the expiration of 2 years from the date of sale. Notice of the hearing on a petition to declare the property abandoned shall be given to the owner or owners of the property and to the person in whose name the taxes were last assessed, by certified or registered mail sent to their last known addresses at least 5 days before the date of the hearing.~~

(c) If the period of redemption has been extended by the certificate holder as provided in Section 21-385 or Section 22-5, the property may be redeemed on or before the extended redemption date. The changes made to this Section by this amendatory Act of the 103rd General Assembly apply to matters concerning tax certificates issued on or after January 1, 2024.

(Source: P.A. 86-286; 86-413; 86-418; 86-949; 86-1028; 86-1158; 86-1481; 87-145; 87-236; 87-435; 87-895; 87-1189; 88-455.)

(35 ILCS 200/21-355)

Sec. 21-355. Amount of redemption. Any person desiring to redeem shall deposit an amount specified in this Section with the county clerk of the county in which the property is situated, in legal money of the United States, or by cashier's check, certified check, post office money order or money order issued by a financial institution insured by an agency or instrumentality of the United States, payable to the county clerk of the proper county. The deposit shall be deemed timely only if actually received in person at the county clerk's office prior to the close of business as defined in Section 3-2007 of the Counties Code on or before the expiration of the period of redemption or by United States mail with a post office cancellation mark dated not less than one day prior to the expiration of the period of redemption. The deposit shall be in an amount equal to the total of the following:

(a) the certificate amount, which shall include all tax principal, special assessments, interest and penalties paid by the tax purchaser together with costs and fees of sale and fees paid under Sections 21-295 and 21-315 through 21-335, except for the nonrefundable \$80 fee paid, pursuant to Section 21-295, for each item purchased at the tax sale;

(b) the accrued penalty, computed through the date of redemption as a percentage of the certificate amount, as follows:

(1) if the redemption occurs on or before the expiration of 6 months from the date of sale, the certificate amount times the penalty bid at sale;

(2) if the redemption occurs after 6 months from the date of sale, and on or before the expiration of 12 months from the date of sale, the certificate amount times 2 times the penalty bid at sale;

(3) if the redemption occurs after 12 months from the date of sale and on or before the expiration of 18 months from the date of sale, the certificate amount times 3 times the penalty bid at sale;

(4) if the redemption occurs after 18 months from the date of sale and on or before the expiration of 24 months from the date of sale, the certificate amount times 4 times the penalty bid at sale;

(5) if the redemption occurs after 24 months from the date of sale and on or before the expiration of 30 months from the date of sale, the certificate amount times 5 times the penalty bid at sale;

(6) if the redemption occurs after 30 months from the date of sale and on or before the expiration of 36 months from the date of sale, the certificate amount times 6 times the penalty bid at sale.

In the event that the property to be redeemed has been purchased under Section 21-405 before January 1, 2024, the penalty bid shall be 12% per penalty period as set forth in subparagraphs (1)

through (6) of this subsection (b). The changes to this subdivision (b)(6) made by this amendatory Act of the 91st General Assembly are not a new enactment, but declaratory of existing law.

If the property to be redeemed is property with respect to which a tax lien or certificate is acquired on or after January 1, 2024 by the county as trustee pursuant to Section 21-90, the penalty bid is 0.75% and shall accrue monthly instead of according to the penalty periods established in subparagraphs (1) through (6) of this subsection (b).

(c) The total of all taxes, special assessments, accrued interest on those taxes and special assessments and costs charged in connection with the payment of those taxes or special assessments, except for the nonrefundable \$80 fee paid, pursuant to Section 21-295, for each item purchased at the tax sale, which have been paid by the tax certificate holder on or after the date those taxes or special assessments became delinquent together with 12% penalty on each amount so paid for each year or portion thereof intervening between the date of that payment and the date of redemption. In counties with less than 3,000,000 inhabitants, however, a tax certificate holder may not pay all or part of an installment of a subsequent tax or special assessment for any year, nor shall any tender of such a payment be accepted, until after the second or final installment of the subsequent tax or special assessment has become delinquent or until after the holder of the certificate of purchase has filed a petition for a tax deed under Section 22.30. The person redeeming shall also pay the amount of interest charged on the subsequent tax or special assessment and paid as a penalty by the tax certificate holder. This amendatory Act of 1995 applies to tax years beginning with the 1995 taxes, payable in 1996, and thereafter.

(d) ~~Any amount paid to redeem a forfeiture occurring before January 1, 2024 but after subsequent to the tax sale together with 12% penalty thereon for each year or portion thereof intervening between the date of the forfeiture redemption and the date of redemption from the sale.~~

(e) Any amount paid by the certificate holder for redemption of a subsequently occurring tax sale, including tax liens or certificates held by the county as trustee, pursuant to Section 21-90.

(f) All fees paid to the county clerk under Section 22-5.

(g) All fees paid to the registrar of titles incident to registering the tax certificate in compliance with the Registered Titles (Torrens) Act.

(h) All fees paid to the circuit clerk and the sheriff, a licensed or registered private detective, or the coroner in connection with the filing of the petition for tax deed and service of notices under Sections 22-15 through 22-30 and 22-40 in addition to (1) a fee of \$35 if a petition for tax deed has been filed, which fee shall be posted to the tax judgement, sale, redemption, and forfeiture record, to be paid to the purchaser or his or her assignee; (2) a fee of \$4 if a notice under Section 22-5 has been filed, which fee shall be posted to the tax judgment, sale, redemption, and forfeiture record, to be paid to the purchaser or his or her assignee; (3) all costs paid to record a lis pendens notice in connection with filing a petition under this Code; and (4) if a petition for tax deed has been filed, all fees up to \$150 per redemption paid to a registered or licensed title insurance company or title insurance agent for a title search to identify all owners, parties interested, and occupants of the property, to be paid to the purchaser or his or her assignee. The fees in (1) and (2) of this paragraph (h) shall be exempt from the posting requirements of Section 21-360. The costs incurred in causing notices to be served by a licensed or registered private detective under Section 22-15, may not exceed the amount that the sheriff would be authorized by law to charge if those notices had been served by the sheriff.

(i) All fees paid for publication of notice of the tax sale in accordance with Section 22-20.

(j) All sums paid to any county, city, village or incorporated town for reimbursement under Section 22-35.

(k) All costs and expenses of receivership under Section 21-410, to the extent that these costs and expenses exceed any income from the property in question, if the costs and expenditures have been approved by the court appointing the receiver and a certified copy of the order or approval is filed and posted by the certificate holder with the county clerk. Only actual costs expended may be posted on the tax judgment, sale, redemption and forfeiture record.

(Source: P.A. 101-659, eff. 3-23-21.)

(35 ILCS 200/21-370)

Sec. 21-370. Redemption of forfeited property. Except as otherwise provided in Section 21-375, any property forfeited to the ~~county state~~ may be redeemed or sold in the following manner:

When property has been forfeited for delinquent general taxes, the person desiring to redeem shall apply to the county clerk who shall order the county collector to receive from the person the amount of the

forfeited general taxes, statutory costs, interest prior to forfeiture, printer's fees due thereon and, in addition, forfeiture interest at a rate of 12% per year or fraction thereof. Upon presentation of the county clerk's order to the county collector, the collector shall receive the amount due on account of forfeited general taxes and give the person duplicate receipts, setting forth a description of the property and amount received. One of the receipts shall be countersigned by the county clerk and, when so countersigned, shall be evidence of the redemption of the property. The receipt shall not be valid until it is countersigned by the county clerk. The other receipt shall be filed by the county clerk in his or her office, and the clerk shall make a proper entry of the redemption of the property on the appropriate books in his or her office and charge the amount of the redemption to the county collector.

In counties with 3,000,000 or more inhabitants, when property has been forfeited because of the nonpayment of delinquent special assessments, the county clerk shall collect from the person desiring to redeem the amount due on the delinquent special assessment, together with the interest, costs and penalties fixed by law, and shall issue a receipt therefor setting forth a description of the property and the amount received. The receipt shall be evidence of the redemption of the property therein described. In addition, the city comptroller or other officer designated and authorized by the city council, board of trustees or other governing body of any municipal corporation which levied any special assessment shall have power to collect the amounts due on properties which have been forfeited, and the interest and penalties due thereon, based upon an estimate of the cost of redemption computed by the county clerk and at a rate to be fixed by the city council, board of trustees or other governing body as to the interest and penalties due thereon and shall issue a receipt therefor. The person receiving the receipt shall file with the county clerk the receipt of the municipal officer that such special assessments and interest and penalties have been paid. Upon the presentation of the receipt the county clerk shall issue to the person a certificate of cancellation setting forth a description of the property, the special assessment warrant and installment, and the amount received by the municipal officer. The certificate of cancellation shall be evidence of the redemption of the property therein described. The city council, board of trustees, or other governing body may authorize the municipal officer to waive penalties for the first year in excess of 7%. The form of the receipt of redemption for filing with the county clerk shall be as prescribed by law.

In counties with less than 3,000,000 inhabitants, when property has been forfeited in whole or in part for the non-payment of delinquent special assessments, the person desiring to redeem shall apply to the municipal collector who shall receive the amount due on the delinquent special assessment, together with the interest, costs and penalties fixed by law, and issue a certificate therefor. The recipient shall file the certificate of the municipal collector that the special assessments and the costs, interest and penalties thereon have been paid with the county clerk. The municipal collector's certificate of payment shall be filed by the county clerk in his or her office and the clerk shall make a proper entry of the redemption on the books in his or her office.

This Section 21-370 does not apply to any forfeiture that occurs on or after January 1, 2024.

(Source: P.A. 87-669; 88-455.)

(35 ILCS 200/21-385)

Sec. 21-385. Extension of period of redemption.

(a) For any tax certificates held by a county pursuant to Section 21-90, the redemption period for each tax certificate shall be extended by operation of law until the date established by the county as the redemption deadline in a petition for tax deed filed under Section 22-30. The redemption deadline established in the petition shall be identified in the notices provided under Sections 22-10 through 22-25 of this Code. After a redemption deadline is established in the petition for tax deed, the county may further extend the redemption deadline by filing with the county clerk of the county in which the property is located a written notice to that effect describing the property, identifying the certificate number, and specifying the extended period of redemption. Notwithstanding any expiration of a prior redemption period, all tax certificates forfeited to the county and held pursuant to Section 21-90 shall remain enforceable by the county or its assignee, and redemption shall be extended by operation of law until the date established by the county as the redemption deadline in a petition for tax deed filed under Section 22-30.

(b) Within 60 days of the date of assignment, assignees of forfeited certificates under Section 21-90 or Section 21-145 of this Code must file with the county clerk of the county in which the property is located a written notice describing the property, stating the date of the assignment, identifying the certificate number and specifying a deadline for redemption that is not later than 3 years from the date of assignment. Upon receiving the notice, the county clerk shall stamp the date of receipt upon the notice. If the notice is submitted as an electronic record, the county clerk shall acknowledge receipt of the record and shall provide

confirmation in the same manner to the certificate holder. The confirmation from the county clerk shall include the date of receipt and shall serve as proof that the notice was filed with the county clerk. In no event shall a county clerk permit an assignee of forfeited certificates under Section 21-90 or Section 21-145 of this Code to extend the period of redemption beyond 3 years from the date of assignment. If the redemption period expires and no petition for tax deed has been filed under Section 22-30, the assigned tax certificate shall be forfeited to and held by the county pursuant to Section 21-90.

(c) Except for the county as trustee pursuant to Section 21-90, the purchaser or his or her assignee of property sold for nonpayment of general taxes or special assessments may extend the period of redemption at any time before the expiration of the original period of redemption, or thereafter prior to the expiration of any extended period of redemption, but only for a period that which will expire not later than 3 years from the date of sale, by filing with the county clerk of the county in which the property is located a written notice to that effect describing the property, stating the date of the sale and specifying the extended period of redemption. Upon receiving the notice, the county clerk shall stamp the date of receipt upon the notice. If the notice is submitted as an electronic record, the county clerk shall acknowledge receipt of the record and shall provide confirmation in the same manner to the certificate holder. The confirmation from the county clerk shall include the date of receipt and shall serve as proof that the notice was filed with the county clerk. The county clerk shall not be required to extend the period of redemption unless the purchaser or his or her assignee obtains this acknowledgement of delivery. If prior to the expiration of the period of redemption or extended period of redemption a petition for tax deed has been filed under Section 22-30, upon application of the petitioner, the court shall allow the purchaser or his or her assignee to extend the period of redemption after expiration of the original period or any extended period of redemption, provided that any extension allowed will expire not later than 3 years from the date of sale, unless the certificate has been assigned to the county collector by order of the court which ordered the property sold, in which case the period of redemption shall be extended for such period as may be designated by the holder of the certificate, such period not to exceed 36 months from the date of the assignment to the collector. If the period of redemption is extended, the purchaser or his or her assignee must give the notices provided for in Section 22-10 at the specified times prior to the expiration of the extended period of redemption by causing a sheriff (or if he or she is disqualified, a coroner) of the county in which the property, or any part thereof, is located to serve the notices as provided in Sections 22-15 and 22-20. The notices may also be served as provided in Sections 22-15 and 22-20 by a special process server appointed by the court under Section 22-15 and as provided in Sections 22-15 and 22-20.

The changes made to this Section by this amendatory Act of the 103rd General Assembly apply to matters concerning tax certificates issued on or after January 1, 2024.

(Source: P.A. 100-890, eff. 1-1-19; 100-975, eff. 8-19-18; 101-81, eff. 7-12-19.)

(35 ILCS 200/21-400)

Sec. 21-400. Special assessments withdrawn ~~or forfeited~~.

In counties with 3,000,000 or more inhabitants, the county clerk, upon request of the city comptroller or other municipal officer authorized by the city council or board of trustees of any city, village or incorporated town to make such request, shall issue to the city, village or incorporated town, a certificate of withdrawal ~~or forfeiture~~ countersigned by the county collector for each property withdrawn ~~or forfeited~~ for non-payment of any special assessment. The certificate of withdrawal ~~or forfeiture~~ shall describe the property withdrawn ~~or forfeited~~, the date of the withdrawal or forfeiture, and the amount of the special assessment, interest and costs.

(Source: P.A. 76-2254; 88-455.)

(35 ILCS 200/21-405)

Sec. 21-405. Special assessments withdrawn or forfeited.

When property has been forfeited for delinquent general taxes or special assessments, a person desiring to purchase the property shall make application to the county clerk. The application shall be accompanied by a fee of \$10 in counties with 3,000,000 or more inhabitants and \$5 in counties with less than 3,000,000 inhabitants for each item on which application is made. The county clerk shall promptly send notice by registered or certified mail, return receipt requested, to the party in whose name the general taxes were last assessed or paid. The notice shall adequately describe the property, shall state the name and address of the party in whose name the general taxes were last assessed or paid, shall recite that application has been made to purchase the property for forfeited taxes or special assessments and that the property will be sold unless redemption is made within 30 days of the mailing of notice. For 30 days after the mailing, the property may be redeemed under Section 21-370.

If redemption is not made, the county clerk shall receive from the purchaser the amount due on forfeited special assessments, together with the interest, costs and penalties thereon fixed by law, and shall issue an order to the county collector directing him or her to receive from the purchaser the amount of the forfeited general taxes, together with the costs, interest, fees and forfeiture interest provided in Section 21-370. In the order, the county clerk shall recite the amounts received by him or her on account of forfeited special assessments and shall direct the county collector to issue a receipt in the form of a certificate of purchase. Upon presentation of the order of the county clerk, the county collector shall receive the amount due on account of forfeited general taxes, and shall issue a receipt therefor in the form of a certificate of purchase.

The certificate of purchase shall set forth a description of the property, and the amount paid by the purchaser on account of general taxes and special assessments, and shall be countersigned by the county clerk. When so countersigned, the certificate of purchase shall be evidence of the sale of the property and of the receipt by the county collector of the amounts ordered to be received by him or her by the county clerk on account of general taxes, and evidence of receipt by the county clerk of the amount received by him or her on account of forfeited special assessments. A certificate of purchase shall not be valid until it is countersigned by the county clerk. Upon countersigning the certificate, the county clerk shall make a proper entry of the sale of the property on the appropriate books, and charge the amount of the sale money of forfeited general taxes to the collector.

Property purchased under this Section shall be subject to redemption, notice, etc., the same as if sold under Section 21-110 through 21-120. Any special assessment which has been withdrawn from collection by the municipality levying it shall not be subject to sale, but the purchaser, prior to the entry of any order for the issuance of a tax deed based on a sale under this Section, shall pay to the officer entitled to receive the amount due on all the withdrawn special assessments. The purchaser may file his or her receipts with the county clerk and have them posted on the tax judgment, sale, redemption and forfeiture record at the same rate of penalty and in the same manner as in the case of payment of taxes and special assessments accruing after the sale, as provided in Section 21-355.

This Section does not apply to any application or forfeiture that occurs on or after January 1, 2024.

(Source: P.A. 87-669; 88-455.)

(35 ILCS 200/21-430)

Sec. 21-430. Partial settlement. In the event an owner or party interested requests to make settlement on a part of the property sold to a municipality, withdrawn from collection or forfeited to the county State for the non-payment of special assessments, the municipal officer is hereby authorized to accept the pro rata amount of any or all installments of the special assessment. That amount shall be computed by the board of local improvements, or other board or officer levying the special assessment, together with interest, costs and penalties as provided by law.

A petition containing the computation shall then be presented by the municipality to the court wherein the original assessment was confirmed. The petition shall bear the same number and title as the original proceeding. At least 10 days before the date set for the hearing of the petition, notices shall be sent by mail, postpaid, to each of the persons who last paid the general taxes on the property originally assessed. The notices shall contain the description of the property as originally assessed, as it is to be divided, and the division of the original assessment, or installments thereof, together with interest, costs and penalties, showing the amount to be charged against each part of the property of land so divided, the date when the petition is to be heard, and the date when objections thereto may be filed.

An affidavit by one of the members of the board of local improvements, or other board or officer computing the division, attesting to the mailing is prima facie evidence of a compliance with this Section. The court shall proceed to determine a fair and equitable division of the assessment, or any installment thereof, together with all interest, penalties and costs. The court shall order the cancellation of the certificate of sale, withdrawal or forfeiture on any part of the property if settlement is made within 10 days from the date of the court's order.

The county clerk may note on the certificate the partial cancellation and shall issue a certificate of cancellation on that part of the property and return the certificate to the municipality. Where a certificate of forfeiture or withdrawal has not been issued, the county clerk may accept the Receipt of Deposit for Redemption, issued by the municipal officer, as provided by law, and the clerk shall issue a certificate of cancellation on that part of the property. He or she shall make proper entry on his or her records showing the part of the property on which settlement has been made and the amount due on the balance.

(Source: P.A. 83-358; 88-455.)

(35 ILCS 200/22-5)

Sec. 22-5. Notice of sale and redemption rights. In order to be entitled to a tax deed, within 4 months and 15 days after any sale held under this Code, the purchaser or his or her assignee, and the county for all forfeited certificates from the annual sale, shall deliver to the county clerk a notice to be given to the party in whose name the taxes are last assessed as shown by the most recent tax collector's warrant books, in at least 10 point type in the following form completely filled in:

TAKE NOTICE

County of
Date Premises Sold or Forfeited
Certificate No.
Sold for General Taxes of (year)
Sold for Special Assessment of (Municipality)
and special assessment number
Warrant No. Inst. No.

THIS PROPERTY HAS BEEN SOLD FOR
DELINQUENT TAXES

Property Address (as identified on the most recent tax bill, if available) Property located at
Legal Description or Property Index No.

~~This notice is to advise you that the above property has been sold for delinquent taxes and that the period of redemption from the sale will expire on~~

This notice is ~~also~~ to advise you that a petition ~~may will~~ be filed for a tax deed which will transfer title and the right to possession of the above-referenced this property ("Property") if redemption is not made on or before the redemption deadline.

To determine the redemption deadline and the total amount you must pay to redeem the sold taxes, you must immediately contact the County Clerk at the address, phone number, or email address below. Check with the County Clerk for the exact amount you owe before redeeming. Payment must be made by certified check, cashier's check, money order, or in cash to the County Clerk.

~~At the date of this notice the total amount which you must pay in order to redeem the above property is~~

YOU ARE URGED TO REDEEM IMMEDIATELY TO
PREVENT LOSS OF PROPERTY

Property sold under the Property Tax Code may be redeemed by any owner or person holding an interest in the Property at any time before the following deadlines (based on property classification as of the Date of Sale):

You must redeem your taxes within one year of the Date of Sale for the following classifications:

(1) vacant non-farm property;

(2) property containing an improvement consisting of a structure or structures with 7 or more residential units; and

(3) commercial or industrial property.

You must redeem your taxes within 2 1/2 years of the Date of Sale for the following classifications:

(1) all residential property with less than 6 units; and

(2) all other property not covered by the 1-year redemption period outlined above.

Redemption deadlines may have been extended by the certificate holder or pursuant to Illinois law. To confirm the redemption deadline, you must contact the County Clerk at the address, telephone number, or email address below. Redemption can be made at any time on or before by applying to the County Clerk of County, Illinois at the Office of the County Clerk in, Illinois. The address, telephone number, and email address for the County Clerk is as follows:

~~The above amount is subject to increase at 6 month intervals from the date of sale. Check with the county clerk as to the exact amount you owe before redeeming. Payment must be made by certified check, cashier's check, money order, or in cash.~~

~~For further information contact the County Clerk~~

ADDRESS:.....

TELEPHONE AND/OR EMAIL ADDRESS:.....

For further information about the redemption deadline, redemption amount, or payment process, please contact the County Clerk.

.....
Purchaser or Assignee
Dated (insert date):

Within 10 days after receipt of said notice, the county clerk shall mail to the addresses supplied by the purchaser or assignee, by registered or certified mail, copies of said notice to the party in whose name the taxes are last assessed as shown by the most recent tax collector's warrant books. With the exception of a county or taxing district acquiring certificates pursuant to Section 21-90 and 21-260, all purchasers or assignees shall pay to the clerk postage plus the sum of \$10. The clerk shall write or stamp the date of receiving the notices upon the copies of the notices, and retain one copy.

With the exception of forfeited tax liens or certificates held by the county pursuant to Section 21-90, all redemption periods shall begin on the date of sale. For forfeited tax liens or certificates held by the county pursuant to Section 21-90, the county may cure any defect in a notice, or failure to send a notice as required by this Section, by delivering to the county clerk a notice to be given to the party in whose name the taxes are last assessed as shown by the most recent tax collector's warrant books. The redemption period begins on the date the county delivered the corrected notice to the clerk, if such extension is otherwise permitted by law.

The changes to this Section made by this amendatory Act of the 97th General Assembly apply only to tax sales that occur on or after the effective date of this amendatory Act of the 97th General Assembly.

The changes made to this Section by this amendatory Act of the 103rd General Assembly apply to matters concerning tax certificates issued on or after the effective date of this amendatory Act of the 103rd General Assembly.

(Source: P.A. 102-815, eff. 5-13-22.)
(35 ILCS 200/22-10)

Sec. 22-10. Notice of expiration of period of redemption. A purchaser or assignee shall not be entitled to a tax deed to the property sold unless, not less than 3 months nor more than 6 months prior to the expiration of the period of redemption, he or she gives notice of the sale and the date of expiration of the period of redemption to the owners, occupants, and parties interested in the property, including any mortgagee of record, as provided below. For counties or taxing districts holding certificates pursuant to Section 21-90, the date of expiration of the period of redemption shall be designated by the county or taxing district in its petition for tax deed and identified in the notice below, which shall be filed with the county clerk. ~~the~~

The Notice to be given to the parties shall be in at least 10-point ~~10 point~~ type in the following form completely filled in:

TAX DEED NO. FILED

TAKE NOTICE

County of
Date Premises Sold or Forfeited
Certificate No.
Sold or Forfeited for General Taxes of (year)
Sold for Special Assessment of (Municipality)
and special assessment number
Warrant No. Inst. No.

THIS PROPERTY HAS BEEN SOLD FOR
DELINQUENT TAXES

Property Address (as identified on the most recent tax bill, if available) ~~Property located at~~
Legal Description or Property Index No.
.....
.....

This notice is to advise you that the above property has been sold for delinquent taxes and that the period of redemption from the sale will expire on

The amount to redeem is subject to increase at 6 month intervals from the date of sale and may be further increased if the purchaser at the tax sale or his or her assignee pays any subsequently accruing taxes or special assessments to redeem the property from subsequent forfeitures or tax sales. Check with the county clerk as to the exact amount you owe before redeeming.

This notice is also to advise you that a petition has been filed for a tax deed which will transfer title and the right to possession of this property if redemption is not made on or before

This matter is set for hearing in the Circuit Court of this county in, Illinois on

You may be present at this hearing but your right to redeem will already have expired at that time.

YOU ARE URGED TO REDEEM IMMEDIATELY
TO PREVENT LOSS OF PROPERTY

Redemption can be made at any time on or before by applying to the County Clerk of, County, Illinois at the Office of the County Clerk in, Illinois.

For further information contact the County Clerk

ADDRESS:.....

TELEPHONE AND/OR EMAIL ADDRESS:.....

.....
Purchaser or Assignee.
Dated (insert date).

In counties with 3,000,000 or more inhabitants, the notice shall also state the address, room number, and time at which the matter is set for hearing.

The changes to this Section made by Public Act 97-557 apply only to matters in which a petition for tax deed is filed on or after July 1, 2012 (the effective date of Public Act 97-557).

The changes to this Section made by Public Act 102-1003 this amendatory Act of the 102nd General Assembly apply to matters in which a petition for tax deed is filed on or after May 27, 2022 (the effective date of Public Act 102-1003) this amendatory Act of the 102nd General Assembly. Failure of any party or any public official to comply with the changes made to this Section by Public Act 102-528 does not invalidate any tax deed issued prior to May 27, 2022 (the effective date of Public Act 102-1003) this amendatory Act of the 102nd General Assembly.

The changes made to this Section by this amendatory Act of the 103rd General Assembly apply to matters concerning tax certificates issued on or after the effective date of this amendatory Act of the 103rd General Assembly.

(Source: P.A. 102-528, eff. 1-1-22; 102-813, eff. 5-13-22; 102-1003, eff. 5-27-22; revised 9-1-22.)

(35 ILCS 200/22-15)

Sec. 22-15. Service of notice. The purchaser or his or her assignee shall give the notice required by Section 22-10 by causing it to be published in a newspaper as set forth in Section 22-20. In addition, the notice shall be served upon owners who reside on any part of the subject property by leaving a copy of the notice with those owners personally. The notice must be served by a sheriff (or if he or she is disqualified, by a coroner) of the county in which the property, or any part thereof, is located or, ~~except in Cook County,~~ by a person who is licensed or registered as a private detective under the Private Detective, Private Alarm, Private Security, Fingerprint Vendor, and Locksmith Act of 2004 ~~upon owners who reside on any part of the property sold by leaving a copy of the notice with those owners personally.~~

In counties of 3,000,000 or more inhabitants, if the notice required by Section 22-10 is to be served by the sheriff, no sale in error may be declared pursuant to Section 22-50 or subparagraph (5) of subsection (a) of Section 21-310 based upon the sheriff's failure to serve the notice in accordance with this Section unless the notice and service list for the first service attempt is delivered by the purchaser or assignee to the sheriff at least 5 months prior to the expiration of the period of redemption. Purchasers or assignees may request that the sheriff make additional service attempts to the same entities and locations, and the sheriff may make those additional attempts within the noticing period established in Section 22-10, but the sheriff's failure to make such additional service attempts is not grounds for a sale in error under Section 22-50 or subparagraph (5) of subsection (a) of Section 21-310.

In counties of 3,000,000 or more inhabitants, if the purchaser or assignee requests that the sheriff make an additional service attempt upon an entity or to a location that was not included on the service list for the first attempt, then the purchaser or assignee must deliver the notice and service list for the additional service attempt to the sheriff at least 4 months before the expiration of the period of redemption. If the

purchaser or assignee delivers the notice and service list for an additional service attempt upon an entity or to a location that was not included on the service list for the first attempt to the sheriff at least 4 months before the expiration of the period of redemption, then the sheriff's failure to serve the notice in accordance with this Section may be grounds for a sale in error under Section 22-50 but not under subparagraph (5) of subsection (a) of Section 21-310. If the purchaser or assignee fails to deliver the notice and service list for an additional service attempt upon an entity or to a location that was not included on the first service list to the sheriff at least 4 months prior to the expiration of the period of redemption, then the sheriff's failure to serve that additional notice in accordance with this Section is not grounds for a sale in error under either Section 22-50 or subparagraph (5) of subsection (a) of Section 21-310.

In counties of 3,000,000 or more inhabitants where a taxing district is a petitioner for tax deed pursuant to Section 21-90, in lieu of service by the sheriff or coroner the notice may be served by a special process server appointed by the circuit court as provided in this Section. The taxing district may move prior to filing one or more petitions for tax deed for appointment of such a special process server. The court, upon being satisfied that the person named in the motion is at least 18 years of age and is capable of serving notice as required under this Code, shall enter an order appointing such person as a special process server for a period of one year. The appointment may be renewed for successive periods of one year each by motion and order, and a copy of the original and any subsequent order shall be filed in each tax deed case in which a notice is served by the appointed person. Delivery of the notice to and service of the notice by the special process server shall have the same force and effect as its delivery to and service by the sheriff or coroner.

The same form of notice shall also be served, in the manner set forth under Sections 2-203, 2-204, 2-205, 2-205.1, and 2-211 of the Code of Civil Procedure, upon all other owners and parties interested in the property, if upon diligent inquiry they can be found in the county, and upon the occupants of the property.

If the property sold has more than 4 dwellings or other rental units, and has a managing agent or party who collects rents, that person shall be deemed the occupant and shall be served with notice instead of the occupants of the individual units. If the property has no dwellings or rental units, but economic or recreational activities are carried on therein, the person directing such activities shall be deemed the occupant. Holders of rights of entry and possibilities of reverter shall not be deemed parties interested in the property.

When a party interested in the property is a trustee, notice served upon the trustee shall be deemed to have been served upon any beneficiary or note holder thereunder unless the holder of the note is disclosed of record.

When a judgment is a lien upon the property sold, the holder of the lien shall be served with notice if the name of the judgment debtor as shown in the transcript, certified copy or memorandum of judgment filed of record is identical, as to given name and surname, with the name of the party interested as it appears of record.

If any owner or party interested, upon diligent inquiry and effort, cannot be found or served with notice in the county as provided in this Section, and the person in actual occupancy and possession is tenant to, or in possession under the owners or the parties interested in the property, then service of notice upon the tenant, occupant or person in possession shall be deemed service upon the owners or parties interested.

If any owner or party interested, upon diligent inquiry and effort cannot be found or served with notice in the county, then the person making the service shall cause a copy of the notice to be sent by registered or certified mail, return receipt requested, to that party at his or her residence, if ascertainable.

The changes to this Section made by Public Act 95-477 apply only to matters in which a petition for tax deed is filed on or after June 1, 2008 (the effective date of Public Act 95-477). (Source: P.A. 95-195, eff. 1-1-08; 95-477, eff. 6-1-08; 95-876, eff. 8-21-08.)

(35 ILCS 200/22-25)

Sec. 22-25. Mailed notice. In addition to the notice required to be served not less than one month nor more than 6 months prior to the expiration of the period of redemption, the purchaser or his or her assignee shall prepare and deliver to the clerk of the Circuit Court of the county in which the property is located, not more than 6 months and not less than 3 months ~~441 days~~ prior to the expiration of the period of redemption, the notice provided for in this Section, together with the statutory costs for mailing the notice by certified mail, return receipt requested. The form of notice to be mailed by the clerk shall be identical in form to that provided by Section 22-10 for service upon owners residing upon the property sold, except that it shall bear the signature of the clerk instead of the name of the purchaser or assignee and shall designate the parties to whom it is to be mailed. The clerk may furnish the form. The clerk shall mail the notices delivered to him or

her by certified mail, return receipt requested, not less than 3 months prior to the expiration of the period of redemption. The certificate of the clerk that he or she has mailed the notices, together with the return receipts, shall be filed in and made a part of the court record. The notices shall be mailed to the owners of the property at their last known addresses, and to those persons who are entitled to service of notice as occupants.

The changes to this Section made by Public Act 97-557 ~~this amendatory Act of the 97th General Assembly~~ shall be construed as being declaratory of existing law and not as a new enactment.

The changes to this Section made by Public Act 102-1003 ~~this amendatory Act of the 102nd General Assembly~~ apply to matters in which a petition for tax deed is filed on or after May 27, 2022 (the effective date of Public Act 102-1003) ~~this amendatory Act of the 102nd General Assembly~~. Failure of any party or any public official to comply with the changes made to this Section by Public Act 102-528 does not invalidate any tax deed issued prior to May 27, 2022 (the effective date of Public Act 102-1003) ~~this amendatory Act of the 102nd General Assembly~~.

(Source: P.A. 102-528, eff. 1-1-22; 102-815, eff. 5-13-22; 102-1003, eff. 5-27-22; revised 8-12-22.)

(35 ILCS 200/22-30)

Sec. 22-30. Petition for deed. At any time within 6 months but not less than 3 months prior to the expiration of the redemption period for property sold pursuant to judgment and order of sale under Sections 21-110 through 21-120 or 21-260 or otherwise acquired by the county pursuant to Section 21-90, the purchaser, or the agent pursuant to Section 21-90, or his or her assignee may file a petition in the circuit court in the same proceeding in which the judgment and order of sale were entered, asking that the court direct the county clerk to issue a tax deed if the property is not redeemed from the sale. The petition shall be accompanied by the statutory filing fee.

Notice of filing the petition and a date for redemption, after which ~~the date on which~~ the petitioner intends to apply for an order to issue a tax on the petition that a deed if the taxes are not be issued if the property is not redeemed, shall be given to occupants, owners and persons interested in the property as part of the notice provided in Sections 22-10 through 22-25, except that only one publication is required. The county clerk shall be notified of the filing of the petition and any person owning or interested in the property may, if he or she desires, appear in the proceeding.

The changes to this Section made by this amendatory Act of the 95th General Assembly apply only to matters in which a petition for tax deed is filed on or after the effective date of this amendatory Act of the 95th General Assembly.

(Source: P.A. 95-477, eff. 6-1-08.)

(35 ILCS 200/22-35)

Sec. 22-35. Reimbursement of a county or municipality before issuance of tax deed. Except in any proceeding in which the tax purchaser is a county acting as a trustee for taxing districts as provided in Section 21-90, an order for the issuance of a tax deed under this Code shall not be entered affecting the title to or interest in any property in which a county, city, village or incorporated town has an interest under the police and welfare power by advancements made from public funds, until the purchaser or assignee makes reimbursement to the county, city, village or incorporated town of the money so advanced or the county, city, village, or town waives its lien on the property for the money so advanced. In ~~However, in~~ lieu of reimbursing the county, city, village, or town for any advancement of money that have not been waived reimbursement or waiver, the purchaser or his or her assignee may make application for and the court shall order that the tax purchase be set aside as a sale in error. However, a ~~A~~ sale in error may not be granted under this Section if:

(1) the lien has been released, satisfied, discharged, or waived; or

(2) the following conditions apply:

(A) the county, city, village, or town does not agree to release, discharge, or waive the lien;

(B) the aggregate total of all such liens recorded against the property by the county, city, village, or town is less than \$5,000; and

(C) the lien or liens secure money advanced by the county, city, village, or town to abate conditions on the property that are in violation of Section 11-20-7, Section 11-20-12, or Section 11-20-13 of the Illinois Municipal Code or any other applicable codes or ordinances adopted by a county, city, village or town pursuant to its emergency authority to abate neglected weeds, grass, trees, bushes, garbage, debris, or graffiti from property.

A filing or appearance fee shall not be required of a county, city, village or incorporated town seeking to enforce its claim under this Section in a tax deed proceeding.
(Source: P.A. 101-379, eff. 1-1-20.)

(35 ILCS 200/22-40)

Sec. 22-40. Issuance of deed; possession.

(a) To obtain an order for issuance of tax deed, the petitioner must provide sufficient evidence that: ~~the~~

(1) the redemption period has expired ~~expires~~ and the property has not been redeemed; ~~and~~

(2) all taxes and special assessments which became due and payable subsequent to the sale have been paid, ~~unless the county or its agent, as trustee pursuant to Section 21-90, is the petitioner; ~~and~~~~

(3) all forfeitures and sales which occur subsequent to the sale ~~are paid or redeemed, unless the county or its agent, as trustee pursuant to Section 21-90, is the petitioner; ~~have been redeemed and~~~~

(4) the notices required by law have been given, and all advancements of public funds under the police power made by a county, city, village or town under Section 22-35 have been paid; and

(5) the petitioner has complied with all the provisions of law entitling him or her to a deed.

Upon receipt of sufficient evidence of the requirements under this subsection (a), the court shall find that the petitioner complied with those requirements and shall enter an order directing the county clerk, on the production of the tax certificate and a certified copy of the order, to issue to the purchaser or its assignee a tax deed. ~~the court shall so find and shall enter an order directing the county clerk on the production of the certificate of purchase and a certified copy of the order, to issue to the purchaser or his or her assignee a tax deed.~~ The court shall insist on strict compliance with Section 22-10 through 22-25. Prior to the entry of an order directing the issuance of a tax deed, the petitioner shall furnish the court with a report of proceedings of the evidence received on the application for tax deed and the report of proceedings shall be filed and made a part of the court record.

(b) Except as provided in subsection (c), if ~~the~~ taxes for years prior to the year or years sold are or become delinquent subsequent to the date of sale, the court shall find that the lien of those delinquent taxes has been or will be merged into the tax deed grantee's title if the court determines that the tax deed grantee or any prior holder of the certificate of purchase, or any person or entity under common ownership or control with any such grantee or prior holder of the certificate of purchase, was at no time the holder of any certificate of purchase for the years sought to be merged. If delinquent taxes are merged into the tax deed pursuant to this subsection, the court shall enter an order declaring which specific taxes have been or will be merged into the tax deed title and directing the county treasurer and county clerk to reflect that declaration in the warrant and judgment records; provided, that no such order shall be effective until a tax deed has been issued and timely recorded. Nothing contained in this Section shall relieve any owner liable for delinquent property taxes under this Code from the payment of the taxes that have been merged into the title upon issuance of the tax deed.

(c) The county clerk is entitled to a fee of \$10 in counties of 3,000,000 or more inhabitants and \$5 in counties with less than 3,000,000 inhabitants for the issuance of the tax deed, with the exception of deeds issued to the county pursuant to its authority under Section 21-90. The clerk may not include in a tax deed more than one property as listed, assessed and sold in one description, except in cases where several properties are owned by one person.

Upon application the court shall, enter an order to place the tax deed grantee or the grantee's successor in interest in possession of the property and may enter orders and grant relief as may be necessary or desirable to maintain the grantee or the grantee's successor in interest in possession.

(d) The court shall retain jurisdiction to enter orders pursuant to subsections (b) and (c) of this Section. This amendatory Act of the 92nd General Assembly and this amendatory Act of the 95th General Assembly shall be construed as being declarative of existing law and not as a new enactment.

(e) Prior to the issuance of any tax deed under this Section, the petitioner must redeem all taxes and special assessments on the property that are subject to a pending tax petition filed by a county or its assignee pursuant to Section 21-90.

(f) If, for any reason, a purchaser fails to obtain an order for tax deed within the required time period and no sale in error was granted or redemption paid, then the certificate shall be forfeited to the county, as trustee, pursuant to Section 21-90.

(Source: P.A. 98-1162, eff. 6-1-15.)

(35 ILCS 200/22-60)

Sec. 22-60. Contents of deed; recording. Every tax deed shall contain the full names and the true post office address and residence of grantee. A county receiving a tax deed pursuant to Section 21-90 may designate a specific county agency to be named as the deed grantee. It shall not be of any force or effect, and the recipient shall not take title to the property, until after the deed # has been recorded in the office of the recorder.

(Source: P.A. 83-358; 88-455.)".

Under the rules, the foregoing **Senate Bill No. 1675**, with House Amendments numbered 1 and 2, was referred to the Secretary's Desk.

PRESENTATION OF CONGRATULATORY RESOLUTION

SENATE RESOLUTION NO. 318

Offered by Senator N. Harris:

Congratulates the Very Reverend Milos M. Vesin, Ph.D., on his retirement as pastor of St. Archangel Michael Serbian Orthodox Church. Thanks him for 33 years of faithful service to the parish.

Under the Rules, the foregoing resolution was referred to the Committee on Assignments.

READING BILLS FROM THE HOUSE OF REPRESENTATIVES A THIRD TIME

On motion of Senator Harmon, **House Bill No. 218** having been printed as received from the House of Representatives, together with all Senate Amendments adopted thereto, was taken up and read by title a third time.

And the question being, "Shall this bill pass?" it was decided in the affirmative by the following vote:

YEAS 34; NAYS 22.

The following voted in the affirmative:

Aquino	Fine	Lightford	Sims
Belt	Gillespie	Martwick	Stadelman
Castro	Glowiak Hilton	Morrison	Ventura
Cervantes	Harris, N.	Murphy	Villa
Cunningham	Hastings	Pacione-Zayas	Villanueva
Edly-Allen	Hunter	Peters	Villivalam
Ellman	Johnson	Porfirio	Mr. President
Faraci	Jones, E.	Preston	
Feigenholtz	Koehler	Simmons	

The following voted in the negative:

Anderson	Fowler	McClure	Syverson
Bennett	Halpin	McConchie	Tracy
Bryant	Harriss, E.	Plummer	Turner, S.
Chesney	Joyce	Rezin	Wilcox
Curran	Lewis	Rose	
DeWitte	Loughran Cappel	Stoller	

This bill, having received the vote of a constitutional majority of the members elected, was declared passed, and all amendments not adopted were tabled pursuant to Senate Rule No. 5-4(a).

Ordered that the Secretary inform the House of Representatives thereof.

[May 18, 2023]

On motion of Senator Harmon, **House Bill No. 219** having been printed as received from the House of Representatives, together with all Senate Amendments adopted thereto, was taken up and read by title a third time.

And the question being, "Shall this bill pass?" it was decided in the affirmative by the following vote:

YEAS 37; NAYS 19; Present 1.

The following voted in the affirmative:

Aquino	Gillespie	Lightford	Stadelman
Belt	Halpin	Loughran Cappel	Turner, D.
Castro	Harris, N.	Morrison	Ventura
Cervantes	Hastings	Murphy	Villa
Cunningham	Holmes	Pacione-Zayas	Villanueva
Edly-Allen	Hunter	Peters	Villivalam
Ellman	Johnson	Porfirio	Mr. President
Faraci	Jones, E.	Preston	
Feigenholtz	Joyce	Simmons	
Fine	Koehler	Sims	

The following voted in the negative:

Anderson	DeWitte	McConchie	Syverson
Bennett	Fowler	Plummer	Tracy
Bryant	Harriss, E.	Rezin	Turner, S.
Chesney	Lewis	Rose	Wilcox
Curran	McClure	Stoller	

The following voted present:

Glowiak Hilton

This bill, having received the vote of a constitutional majority of the members elected, was declared passed, and all amendments not adopted were tabled pursuant to Senate Rule No. 5-4(a).

Ordered that the Secretary inform the House of Representatives thereof.

On motion of Senator Belt, **House Bill No. 476** having been printed as received from the House of Representatives, together with all Senate Amendments adopted thereto, was taken up and read by title a third time.

And the question being, "Shall this bill pass?" it was decided in the affirmative by the following vote:

YEAS 38; NAYS 18.

The following voted in the affirmative:

Aquino	Gillespie	Koehler	Sims
Belt	Glowiak Hilton	Lightford	Stadelman
Castro	Halpin	Loughran Cappel	Turner, D.
Cervantes	Harris, N.	Martwick	Ventura
Cunningham	Hastings	Morrison	Villa
Edly-Allen	Holmes	Murphy	Villanueva
Ellman	Hunter	Pacione-Zayas	Villivalam
Faraci	Johnson	Peters	Mr. President
Feigenholtz	Jones, E.	Porfirio	
Fine	Joyce	Simmons	

The following voted in the negative:

Anderson	DeWitte	McConchie	Tracy
Bennett	Fowler	Plummer	Turner, S.
Bryant	Harriss, E.	Rezin	Wilcox
Chesney	Lewis	Rose	
Curran	McClure	Stoller	

This bill, having received the vote of a constitutional majority of the members elected, was declared passed, and all amendments not adopted were tabled pursuant to Senate Rule No. 5-4(a).

Ordered that the Secretary inform the House of Representatives thereof.

Senator Preston asked and obtained unanimous consent for the Journal to reflect his intention to have voted in the affirmative on **House Bill No. 476**.

POSTING NOTICES WAIVED

Senator Castro moved to waive the six-day posting requirement on **House Bills numbered 579, 1119 and 2493** so that the measures may be heard in the Committee on Executive that is scheduled to meet May 18, 2023.

The motion prevailed.

READING BILL FROM THE HOUSE OF REPRESENTATIVES A THIRD TIME

On motion of Senator Villanueva, **House Bill No. 1286** having been printed as received from the House of Representatives, together with all Senate Amendments adopted thereto, was taken up and read by title a third time.

And the question being, "Shall this bill pass?" it was decided in the affirmative by the following vote:

YEAS 35; NAYS 20.

The following voted in the affirmative:

Aquino	Gillespie	Koehler	Preston
Castro	Glowiak Hilton	Lightford	Simmons
Cervantes	Halpin	Loughran Cappel	Sims
Cunningham	Harris, N.	Martwick	Ventura
Edly-Allen	Hastings	Morrison	Villa
Ellman	Holmes	Murphy	Villanueva
Faraci	Hunter	Pacione-Zayas	Villivalam
Feigenholtz	Johnson	Peters	Mr. President
Fine	Jones, E.	Porfirio	

The following voted in the negative:

Anderson	Fowler	Plummer	Turner, S.
Bennett	Harriss, E.	Rezin	Wilcox
Bryant	Joyce	Rose	
Chesney	Lewis	Stoller	
Curran	McClure	Syverson	
DeWitte	McConchie	Tracy	

This bill, having received the vote of a constitutional majority of the members elected, was declared passed, and all amendments not adopted were tabled pursuant to Senate Rule No. 5-4(a).

[May 18, 2023]

Ordered that the Secretary inform the House of Representatives thereof and ask their concurrence in the Senate Amendment adopted thereto.

POSTING NOTICES WAIVED

Senator Joyce moved to waive the six-day posting requirement on **Senate Resolutions numbered 241, 294 and 304** so that the measures may be heard in the Committee on State Government that is scheduled to meet May 18, 2023.

The motion prevailed.

Senator Joyce moved to waive the six-day posting requirement on **House Bill No. 301** so that the measure may be heard in the Committee on State Government that is scheduled to meet May 18, 2023.

The motion prevailed.

COMMITTEE MEETING ANNOUNCEMENTS

The Chair announced the following committee to meet upon recess:

Senate Special Committee on the Chicago Elected Representative School Board in Room Virtual 1

The Chair announced the following committees to meet at 6:00 o'clock p.m.:

Executive in Room 212
State Government in Room 409

PRESENTATION OF RESOLUTION

Senator Fine offered the following Senate Resolution, which was referred to the Committee on Assignments:

SENATE RESOLUTION NO. 319

WHEREAS, On the Saturday of July 15, 2023, people all across Illinois will "unplug", or take a break from using electronic devices, to enjoy everything that their local parks, recreation sites, and conservation areas have to offer; and

WHEREAS, Unplug Illinois Day, a public service campaign by the Illinois Park and Recreation Association, was designed to help communicate the value that unplugging offers to residents; and

WHEREAS, Studies have shown that unplugging is essential to maintain a healthy lifestyle; and

WHEREAS, On average, children spend over seven hours a day in front of a screen outside of school and homework; and

WHEREAS, Approximately 43% of Americans aged 18 to 29 use their smartphones at least four hours per day; and

WHEREAS, At present, 80% of Americans do not get enough exercise on a daily basis; and

WHEREAS, Unplugging at Illinois parks and facilities is one of the most convenient ways to stay active and get exercise; therefore, be it

[May 18, 2023]

RESOLVED, BY THE SENATE OF THE ONE HUNDRED THIRD GENERAL ASSEMBLY OF THE STATE OF ILLINOIS, that we declare July 15, 2023 as Unplug Illinois Day in the State of Illinois; and be it further

RESOLVED, That we encourage all citizens to participate in this opportunity by unplugging from their electronic devices and visiting their local parks, recreation sites, and conservation areas.

MESSAGES FROM THE HOUSE

A message from the House by
Mr. Hollman, Clerk:

Mr. President -- I am directed to inform the Senate that the House of Representatives has adopted the following joint resolution, in the adoption of which I am instructed to ask the concurrence of the Senate, to-wit:

HOUSE JOINT RESOLUTION NO. 5

WHEREAS, It is appropriate to remember the many sacrifices and contributions to the cause of freedom made by the outstanding men and women who served in the United States Armed Forces; and

WHEREAS, Corporal Nathan Carlson was born in Rockford; he graduated from Harlem High School in 2019, where he was captain of the swim team; upon graduation, he enlisted into the U.S. Marine Corps and attended boot camp at Marine Corps Recruit Depot San Diego; he graduated from boot camp in August 2019 and officially earned the title of Marine; and

WHEREAS, CPL Carlson then reported to the School of Infantry in Camp Pendleton, California, where he attended Marine Combat Training (MCT); and

WHEREAS, Upon completing MCT, CPL Carlson attended Naval Aircrew candidate School in Pensacola, Florida, where he received water survival training; in January 2020, he reported to the Center of Naval Aviation Technical Training (CNATT) at Marine Corps Air Station New River, where he learned the basic technical skills of a MV-22B mechanic; upon graduating CNATT, he attended Marine Air Group 26 (MAG-26) for initial crew chief training on the MV-22B at Marine Medium Tiltrotor Training Squadron 204; on September 11, 2020, he was winged and officially became a Naval Aircrewman; and

WHEREAS, In September 2020, CPL Carlson then reported to MAG-39, Marine Medium Tiltrotor Squadron 364 (VMM-364), where, in the course of his duties, he was promoted to the rank of corporal and served as a leader in the Flight Line Division as a Basic Instructor Crew Chief and Plane Captain; and

WHEREAS, In October 2020, CPL Carlson participated in Service Level Training Exercise 21-1; in April 2021, he was deployed with the squadron to Special Purpose Marine Air Ground Task Force – Crisis Response – Central Command based out of Al Jaber Air Base, Kuwait and Prince Sultan Air Base, Saudi Arabia; and

WHEREAS, Upon returning from deployment, CPL Carlson married the love of his life, Emily Baxter; he would go on to begin training to become a Low Altitude Tactics instructor, Night Systems instructor, Tail Gunnery Instructor, and Collateral Duty Inspector; he amassed over 500 total flight hours and over 70 combat hours while at VMM-364; and

WHEREAS, CPL Carlson was killed in the line of duty during a military training exercise on June 8, 2022; and

WHEREAS, CPL Carlson is survived by his wife, Emily Baxter-Carlson; his parents, Karrie and Eric Carlson; his sisters, Casey and Mylee Carlson; and many close family and friends; and

WHEREAS, CPL Carlson will forever be remembered as a loving husband, son, brother, grandson, nephew, cousin, and friend; therefore, be it

[May 18, 2023]

RESOLVED, BY THE HOUSE OF REPRESENTATIVES OF THE ONE HUNDRED THIRD GENERAL ASSEMBLY OF THE STATE OF ILLINOIS, THE SENATE CONCURRING HEREIN, that we designate the portion of Alpine Road from Harlem Road to Illinois Route 73 as the "CPL Nathan Carlson Memorial Highway"; and be it further

RESOLVED, That the Illinois Department of Transportation is requested to erect at suitable locations, consistent with State and federal regulations, appropriate plaques or signs giving notice of the name of "CPL Nathan Carlson Memorial Highway"; and be it further

RESOLVED, That suitable copies of this resolution be presented to the family of CPL Carlson, the Secretary of Transportation, the Principle of Harlem High School, the Village President of Machesney Park, and the Mayor of Loves Park.

Adopted by the House, April 26, 2023.

JOHN W. HOLLMAN, Clerk of the House

The foregoing message from the House of Representatives reporting House Joint Resolution No. 5 was referred to the Committee on Assignments.

At the hour of 5:11 o'clock p.m., the Chair announced that the Senate stands at recess subject to the call of the Chair.

AFTER RECESS

At the hour of 8:58 o'clock p.m., the Senate resumed consideration of business.
Senator Cunningham, presiding.

REPORTS FROM STANDING COMMITTEES

Senator Castro, Chair of the Committee on Executive, to which was referred the Motions to Concur with House Amendments to the following Senate Bills, reported that the Committee recommends do adopt:

Motion to Concur in House Amendment No. 1 to Senate Bill 58; Motion to Concur in House Amendment No. 2 to Senate Bill 58; Motion to Concur in House Amendment No. 3 to Senate Bill 58; Motion to Concur in House Amendment No. 1 to Senate Bill 1352; Motion to Concur in House Amendment No. 2 to Senate Bill 1665; Motion to Concur in House Amendment No. 3 to Senate Bill 1710; Motion to Concur in House Amendment No. 1 to Senate Bill 1872

Under the rules, the foregoing motions are eligible for consideration by the Senate.

Senator Castro, Chair of the Committee on Executive, to which was referred **House Bills Numbered 579, 1119 and 2493**, reported the same back with the recommendation that the bills do pass.

Under the rules, the bills were ordered to a second reading.

Senator Castro, Chair of the Committee on Executive, to which was referred the following Senate floor amendments, reported that the Committee recommends do adopt:

Senate Amendment No. 4 to House Bill 2450
Senate Amendment No. 2 to House Bill 2858
Senate Amendment No. 3 to House Bill 2858
Senate Amendment No. 2 to House Bill 3062

Under the rules, the foregoing floor amendments are eligible for consideration on second reading.

Senator Joyce, Chair of the Committee on State Government, to which was referred **Senate Resolutions Numbered 241, 294 and 304**, reported the same back with the recommendation that the resolutions be adopted.

Under the rules, **Senate Resolutions Numbered 241, 294 and 304** were placed on the Secretary's Desk.

Senator Joyce, Chair of the Committee on State Government, to which was referred the Motions to Concur with House Amendments to the following Senate Bills, reported that the Committee recommends do adopt:

Motion to Concur in House Amendment No. 1 to Senate Bill 74; Motion to Concur in House Amendment No. 2 to Senate Bill 74; Motion to Concur in House Amendment No. 3 to Senate Bill 74; Motion to Concur in House Amendment No. 3 to Senate Bill 684; Motion to Concur in House Amendment No. 2 to Senate Bill 1235; Motion to Concur in House Amendment No. 1 to Senate Bill 1555; Motion to Concur in House Amendment No. 1 to Senate Bill 1629; Motion to Concur in House Amendment No. 2 to Senate Bill 1754; Motion to Concur in House Amendment No. 1 to Senate Bill 1803; Motion to Concur in House Amendment No. 1 to Senate Bill 2039

Under the rules, the foregoing motions are eligible for consideration by the Senate.

Senator Joyce, Chair of the Committee on State Government, to which was referred **House Bill No. 301**, reported the same back with the recommendation that the bill do pass.

Under the rules, the bill was ordered to a second reading.

Senator Joyce, Chair of the Committee on State Government, to which was referred the following Senate floor amendments, reported that the Committee recommends do adopt:

Senate Amendment No. 1 to House Bill 1076
Senate Amendment No. 3 to House Bill 3566
Senate Amendment No. 2 to House Bill 3743

Under the rules, the foregoing floor amendments are eligible for consideration on second reading.

MESSAGES FROM THE HOUSE

A message from the House by

Mr. Hollman, Clerk:

Mr. President -- I am directed to inform the Senate that the House of Representatives has adopted the following joint resolution, in the adoption of which I am instructed to ask the concurrence of the Senate, to-wit:

HOUSE JOINT RESOLUTION NO. 23

WHEREAS, Interstate 55 (I-55) experiences serious congestion daily for extended periods of time and is unable to acclimate to current traffic demands due to limited roadway capacity, roadway design constraints, high truck volumes, and numerous interchanges; and

WHEREAS, Commuters have limited public transit options for their commutes, which has consequently led to increased congestion, long and unreliable travel times, reductions in safety, and increased costs for delivery of goods and services; and

[May 18, 2023]

WHEREAS, To improve automobile transportation along the I-55 corridor from the I-355 (Veterans Memorial Tollway) to the I-90/I-94 (Dan Ryan Expressway), the Illinois Department of Transportation (IDOT) initiated the "I-55 Managed Lane Project" to study the advantages of adding managed lanes; and

WHEREAS, A managed lane is a type of highway lane that is administered via a management scheme, such as lane use restrictions or variable tolling, to improve traffic flow, provide commuters with travel options, increase average vehicle occupancy, and support transit ridership; and

WHEREAS, The project assessed implementing two Express Toll Lanes (ETLs) in each direction on the eastern section of the corridor, between I-294 (Central Tri-State Tollway) and the I-90/94; additionally, the section from I-355 to I-294 will have one ETL in each direction; and

WHEREAS, IDOT led this project in partnership with the Federal Highway Administration (FHWA); furthermore, to reach a broad range of stakeholders, the partnership sought input from area residents, municipalities, counties, townships, agencies, elected officials, and interested groups; and

WHEREAS, An environmental study has been completed to meet the National Environmental Policy Act (NEPA) requirements; the NEPA requires federal agencies to analyze the environmental impacts of the proposed actions and requires the evaluation of reasonable alternatives; and

WHEREAS, Phase II, the "Final Design and Contract Plan Preparation," is funded in IDOT's Fiscal Year 2020-2025 Proposed Highway Improvement Program; however, IDOT does not presently have funding for Phase III which is the construction of the project; and

WHEREAS, IDOT is evaluating alternative project delivery opportunities, such as a public-private partnership or P3, to involve industry and best leverage resources for this project; using the P3 method, IDOT can deliver an I-55 project that is the safest, most efficient, and most cost-effective; and

WHEREAS, Under the Public Private Partnership for Transportation Act, IDOT must receive approval from the General Assembly to pursue the project as a P3 and see the project through to completion; therefore, be it

RESOLVED, BY THE HOUSE OF REPRESENTATIVES OF THE ONE HUNDRED THIRD GENERAL ASSEMBLY OF THE STATE OF ILLINOIS, THE SENATE CONCURRING HEREIN, that we support the "I-55 Managed Lane Project" and IDOT's efforts to pursue the project as a P3.

Adopted by the House, May 18, 2023.

JOHN W. HOLLMAN, Clerk of the House

The foregoing message from the House of Representatives reporting House Joint Resolution No. 23 was referred to the Committee on Assignments.

A message from the House by

Mr. Hollman, Clerk:

Mr. President -- I am directed to inform the Senate that the House of Representatives has concurred with the Senate in the passage of a bill of the following title, to-wit:

SENATE BILL NO. 76

A bill for AN ACT concerning utilities.

Together with the following amendment which is attached, in the adoption of which I am instructed to ask the concurrence of the Senate, to-wit:

House Amendment No. 2 to SENATE BILL NO. 76

Passed the House, as amended, May 18, 2023.

JOHN W. HOLLMAN, Clerk of the House

AMENDMENT NO. 2 TO SENATE BILL 76

AMENDMENT NO. 2. Amend Senate Bill 76 by replacing everything after the enacting clause with the following:

[May 18, 2023]

"Section 5. The Public Utilities Act is amended by changing Section 8-406 as follows:

(220 ILCS 5/8-406) (from Ch. 111 2/3, par. 8-406)

Sec. 8-406. Certificate of public convenience and necessity.

(a) No public utility not owning any city or village franchise nor engaged in performing any public service or in furnishing any product or commodity within this State as of July 1, 1921 and not possessing a certificate of public convenience and necessity from the Illinois Commerce Commission, the State Public Utilities Commission, or the Public Utilities Commission, at the time Public Act 84-617 goes into effect (January 1, 1986), shall transact any business in this State until it shall have obtained a certificate from the Commission that public convenience and necessity require the transaction of such business. A certificate of public convenience and necessity requiring the transaction of public utility business in any area of this State shall include authorization to the public utility receiving the certificate of public convenience and necessity to construct such plant, equipment, property, or facility as is provided for under the terms and conditions of its tariff and as is necessary to provide utility service and carry out the transaction of public utility business by the public utility in the designated area.

(b) No public utility shall begin the construction of any new plant, equipment, property, or facility which is not in substitution of any existing plant, equipment, property, or facility, or any extension or alteration thereof or in addition thereto, unless and until it shall have obtained from the Commission a certificate that public convenience and necessity require such construction. Whenever after a hearing the Commission determines that any new construction or the transaction of any business by a public utility will promote the public convenience and is necessary thereto, it shall have the power to issue certificates of public convenience and necessity. The Commission shall determine that proposed construction will promote the public convenience and necessity only if the utility demonstrates: (1) that the proposed construction is necessary to provide adequate, reliable, and efficient service to its customers and is the least-cost means of satisfying the service needs of its customers or that the proposed construction will promote the development of an effectively competitive electricity market that operates efficiently, is equitable to all customers, and is the least cost means of satisfying those objectives; (2) that the utility is capable of efficiently managing and supervising the construction process and has taken sufficient action to ensure adequate and efficient construction and supervision thereof; and (3) that the utility is capable of financing the proposed construction without significant adverse financial consequences for the utility or its customers.

(b-5) As used in this subsection (b-5):

"Qualifying direct current applicant" means an entity that seeks to provide direct current bulk transmission service for the purpose of transporting electric energy in interstate commerce.

"Qualifying direct current project" means a high voltage direct current electric service line that crosses at least one Illinois border, the Illinois portion of which is physically located within the region of the Midcontinent Independent System Operator, Inc., or its successor organization, and runs through the counties of Pike, Scott, Greene, Macoupin, Montgomery, Christian, Shelby, Cumberland, and Clark, is capable of transmitting electricity at voltages of 345 kilovolts or above, and may also include associated interconnected alternating current interconnection facilities in this State that are part of the proposed project and reasonably necessary to connect the project with other portions of the grid.

Notwithstanding any other provision of this Act, a qualifying direct current applicant that does not own, control, operate, or manage, within this State, any plant, equipment, or property used or to be used for the transmission of electricity at the time of its application or of the Commission's order may file an application on or before December 31, 2023 with the Commission pursuant to this Section or Section 8-406.1 for, and the Commission may grant, a certificate of public convenience and necessity to construct, operate, and maintain a qualifying direct current project. The qualifying direct current applicant may also include in the application requests for authority under Section 8-503. The Commission shall grant the application for a certificate of public convenience and necessity and requests for authority under Section 8-503 if it finds that the qualifying direct current applicant and the proposed qualifying direct current project satisfy the requirements of this subsection and otherwise satisfy the criteria of this Section or Section 8-406.1 and the criteria of Section 8-503, as applicable to the application and to the extent such criteria are not superseded by the provisions of this subsection. The Commission's order on the application for the certificate of public convenience and necessity shall also include the Commission's findings and determinations on the request or requests for authority pursuant to Section 8-503. Prior to filing its application under either this Section or Section 8-406.1, the qualifying direct current applicant shall conduct 3 public meetings in accordance with subsection (h) of this Section. If the qualifying direct current applicant demonstrates in its application that the proposed qualifying direct current project is designed to deliver

electricity to a point or points on the electric transmission grid in either or both the PJM Interconnection, LLC or the Midcontinent Independent System Operator, Inc., or their respective successor organizations, the proposed qualifying direct current project shall be deemed to be, and the Commission shall find it to be, for public use. If the qualifying direct current applicant further demonstrates in its application that the proposed transmission project has a capacity of 1,000 megawatts or larger and a voltage level of 345 kilovolts or greater, the proposed transmission project shall be deemed to satisfy, and the Commission shall find that it satisfies, the criteria stated in item (1) of subsection (b) of this Section or in paragraph (1) of subsection (f) of Section 8-406.1, as applicable to the application, without the taking of additional evidence on these criteria. Prior to the transfer of functional control of any transmission assets to a regional transmission organization, a qualifying direct current applicant shall request Commission approval to join a regional transmission organization in an application filed pursuant to this subsection (b-5) or separately pursuant to Section 7-102 of this Act. The Commission may grant permission to a qualifying direct current applicant to join a regional transmission organization if it finds that the membership, and associated transfer of functional control of transmission assets, benefits Illinois customers in light of the attendant costs and is otherwise in the public interest. Nothing in this subsection (b-5) requires a qualifying direct current applicant to join a regional transmission organization. Nothing in this subsection (b-5) requires the owner or operator of a high voltage direct current transmission line that is not a qualifying direct current project to obtain a certificate of public convenience and necessity to the extent it is not otherwise required by this Section 8-406 or any other provision of this Act.

(c) ~~(Blank). After September 11, 1987 (the effective date of Public Act 85-277), no construction shall commence on any new nuclear power plant to be located within this State, and no certificate of public convenience and necessity or other authorization shall be issued therefor by the Commission, until the Director of the Illinois Environmental Protection Agency finds that the United States Government, through its authorized agency, has identified and approved a demonstrable technology or means for the disposal of high level nuclear waste, or until such construction has been specifically approved by a statute enacted by the General Assembly.~~

~~As used in this Section, "high level nuclear waste" means those aqueous wastes resulting from the operation of the first cycle of the solvent extraction system or equivalent and the concentrated wastes of the subsequent extraction cycles or equivalent in a facility for reprocessing irradiated reactor fuel and shall include spent fuel assemblies prior to fuel reprocessing.~~

(d) In making its determination under subsection (b) of this Section, the Commission shall attach primary weight to the cost or cost savings to the customers of the utility. The Commission may consider any or all factors which will or may affect such cost or cost savings, including the public utility's engineering judgment regarding the materials used for construction.

(e) The Commission may issue a temporary certificate which shall remain in force not to exceed one year in cases of emergency, to assure maintenance of adequate service or to serve particular customers, without notice or hearing, pending the determination of an application for a certificate, and may by regulation exempt from the requirements of this Section temporary acts or operations for which the issuance of a certificate will not be required in the public interest.

A public utility shall not be required to obtain but may apply for and obtain a certificate of public convenience and necessity pursuant to this Section with respect to any matter as to which it has received the authorization or order of the Commission under the Electric Supplier Act, and any such authorization or order granted a public utility by the Commission under that Act shall as between public utilities be deemed to be, and shall have except as provided in that Act the same force and effect as, a certificate of public convenience and necessity issued pursuant to this Section.

No electric cooperative shall be made or shall become a party to or shall be entitled to be heard or to otherwise appear or participate in any proceeding initiated under this Section for authorization of power plant construction and as to matters as to which a remedy is available under the Electric Supplier Act.

(f) Such certificates may be altered or modified by the Commission, upon its own motion or upon application by the person or corporation affected. Unless exercised within a period of 2 years from the grant thereof, authority conferred by a certificate of convenience and necessity issued by the Commission shall be null and void.

No certificate of public convenience and necessity shall be construed as granting a monopoly or an exclusive privilege, immunity or franchise.

(g) A public utility that undertakes any of the actions described in items (1) through (3) of this subsection (g) or that has obtained approval pursuant to Section 8-406.1 of this Act shall not be required to

comply with the requirements of this Section to the extent such requirements otherwise would apply. For purposes of this Section and Section 8-406.1 of this Act, "high voltage electric service line" means an electric line having a design voltage of 100,000 or more. For purposes of this subsection (g), a public utility may do any of the following:

(1) replace or upgrade any existing high voltage electric service line and related facilities, notwithstanding its length;

(2) relocate any existing high voltage electric service line and related facilities, notwithstanding its length, to accommodate construction or expansion of a roadway or other transportation infrastructure; or

(3) construct a high voltage electric service line and related facilities that is constructed solely to serve a single customer's premises or to provide a generator interconnection to the public utility's transmission system and that will pass under or over the premises owned by the customer or generator to be served or under or over premises for which the customer or generator has secured the necessary right of way.

(h) A public utility seeking to construct a high-voltage electric service line and related facilities (Project) must show that the utility has held a minimum of 2 pre-filing public meetings to receive public comment concerning the Project in each county where the Project is to be located, no earlier than 6 months prior to filing an application for a certificate of public convenience and necessity from the Commission. Notice of the public meeting shall be published in a newspaper of general circulation within the affected county once a week for 3 consecutive weeks, beginning no earlier than one month prior to the first public meeting. If the Project traverses 2 contiguous counties and where in one county the transmission line mileage and number of landowners over whose property the proposed route traverses is one-fifth or less of the transmission line mileage and number of such landowners of the other county, then the utility may combine the 2 pre-filing meetings in the county with the greater transmission line mileage and affected landowners. All other requirements regarding pre-filing meetings shall apply in both counties. Notice of the public meeting, including a description of the Project, must be provided in writing to the clerk of each county where the Project is to be located. A representative of the Commission shall be invited to each pre-filing public meeting.

(i) For applications filed after August 18, 2015 (the effective date of Public Act 99-399), the Commission shall, by certified mail, notify each owner of record of land, as identified in the records of the relevant county tax assessor, included in the right-of-way over which the utility seeks in its application to construct a high-voltage electric line of the time and place scheduled for the initial hearing on the public utility's application. The utility shall reimburse the Commission for the cost of the postage and supplies incurred for mailing the notice.

(j) Any new nuclear reactor built in the State after the effective date of this amendatory Act of the 103rd General Assembly must be an advanced nuclear reactor. As used in this subsection, "advanced nuclear reactor" has the meaning given to that term in 42 U.S.C. 16271.

This subsection does not apply to the renewal or subsequent renewal of any license for an existing nuclear reactor that began operation prior to the effective date of this amendatory Act of the 103rd General Assembly.

(Source: P.A. 102-609, eff. 8-27-21; 102-662, eff. 9-15-21; 102-813, eff. 5-13-22; 102-931, eff. 5-27-22.)

Section 99. Effective date. This Act takes effect upon becoming law."

Under the rules, the foregoing **Senate Bill No. 76**, with House Amendment No. 2, was referred to the Secretary's Desk.

A message from the House by

Mr. Hollman, Clerk:

Mr. President -- I am directed to inform the Senate that the House of Representatives has concurred with the Senate in the passage of a bill of the following title, to-wit:

SENATE BILL NO. 850

A bill for AN ACT concerning State government.

Together with the following amendment which is attached, in the adoption of which I am instructed to ask the concurrence of the Senate, to-wit:

House Amendment No. 1 to SENATE BILL NO. 850

[May 18, 2023]

Passed the House, as amended, May 18, 2023.

JOHN W. HOLLMAN, Clerk of the House

AMENDMENT NO. 1 TO SENATE BILL 850

AMENDMENT NO. 1 . Amend Senate Bill 850 by replacing everything after the enacting clause with the following:

"Section 1. Short title. This Act may be cited as the Grocery Initiative Act.

Section 5. Definitions. In this Act:

"Cooperative" means an organization that is organized according to the Co-operative Act.

"Department" means the Department of Commerce and Economic Opportunity.

"Food desert" means a census tract that:

(1) meets one of the following poverty standards:

(A) the census tract has a poverty rate of at least 20%; or

(B) the census tract is not located within a metropolitan statistical area and has a median family income that is less than or equal to 80% of the statewide median household income; or

(C) the census tract is located within a metropolitan statistical area and has a median family income that is less than or equal to 80% of the greater of (i) the statewide median household income or (ii) the metropolitan area median family income; and

(2) meets one of the following population density and food accessibility standards:

(A) the census tract is a rural tract, and at least 33% of the population of the tract or at least 500 residents in the tract reside more than 10 miles from the nearest grocery store; or

(B) the census tract is an urban tract, and at least 33% of the population of the tract or at least 500 residents in the tract reside more than one-half mile from the nearest grocery store.

The Department may also designate an area that does not meet the standards set forth in this definition as a food desert if the designation is made in accordance with criteria established by the Department by rule using data that includes, but is not limited to, poverty metrics and access to existing grocery stores.

"Grocery store" means an existing or planned retail establishment that: (1) has or will have a primary business of selling a variety of grocery products, including fresh produce; (2) derives or will derive no more than 30% of its revenue from sales of tobacco and alcohol in any given year; (3) is or will be classified as a supermarket or other grocery retailer in the 2022 North American Industry Classification System under code 445110; (4) accepts or will accept Supplemental Nutrition Assistance Program benefits and Special Supplemental Nutrition Program for Women, Infants, and Children benefits; and (5) provides or will provide for the retail sale of a substantial variety of perishable foods, including fresh or frozen dairy products, fresh produce, and fresh meats, poultry, and fish.

"Local governmental unit" means any county, municipality, township, special district, or unit that is designated as a unit of local government by law and exercises limited governmental powers or powers in respect to limited governmental subjects. "Local governmental unit" also includes any school district or community college district.

"Not-for-profit corporation" means an organization or institution that is organized and conducted on a not-for-profit basis with no personal profit inuring to anyone as a result of the operation and that is organized according to the General Not For Profit Corporation Act of 1986.

"Rural tract" means a census tract that is not an urban tract.

"Urban tract" means a census tract having its geographic centroid in an urban area, as defined by the Bureau of the Census for the most recent year in which all relevant data to identify food deserts is available.

Section 10. Grocery Initiative Study. The Department shall, subject to appropriation, study food insecurity in urban and rural food deserts. The study may include an exploration of the reasons for current market failures, potential policy solutions, geographic trends, and the need for independent grocers, and it shall identify communities at risk of becoming food deserts. The study may also include a disparity study to assess the need for aspirational goals for ownership among minority, women, and persons with a disability as defined in the Business Enterprise for Minorities, Women, and Persons with Disabilities Act. The Department may enter into contracts, grants, or other agreements to complete this study. This report shall be submitted to the General Assembly by December 31, 2024. This Section is repealed on January 1, 2026.

Section 15. Grocery Initiative Grants and Financial Support.

[May 18, 2023]

(a) The Department shall, subject to appropriation, establish the Grocery Initiative to expand access to healthy foods in food deserts in Illinois and areas at risk of becoming food deserts in Illinois by providing grants and other forms of financial assistance to independently owned for-profit grocery stores, cooperative grocery stores, or not-for-profit grocery stores, as well as grocery stores owned and operated by local governmental units. The Department may enter into contracts, grants, or other agreements to administer these grants and other forms of financial assistance. The Department may, by rule, place limits on the size of the grocery stores that are eligible for grants and other financial assistance under this Act, including, but not limited to, limits on the annual revenue or projected revenue of the applicant, number of full-time employees, or square footage of the facilities. The Department may prioritize grant awards and loan funding to applicants based on poverty rates, income, geographic diversity, local ownership, access to grocery stores in the area surrounding proposed project locations, and other factors as determined by the Department. The Department may award grants or provide loans for any one or more of the following:

- (1) market and site feasibility studies, promotional materials, and marketing;
- (2) salaries and benefits for workers;
- (3) rent or a down payment to acquire a facility;
- (4) purchase of ownership of a grocery store as part of establishing a new grocery store;
- (5) capital improvements, planning, renovations, land acquisition, demolition, durable and non-durable equipment purchases; or
- (6) other costs as determined eligible by the Department.

(b) The Department may, subject to appropriation, provide grants for equipment upgrades for existing independently owned for-profit grocery stores, cooperative grocery stores, or not-for-profit grocery stores. The Department shall use no more than 20% of total program funding for this purpose. Equipment upgrades shall be focused on providing access to equipment that is energy efficient.

Section 20. Technical Assistance.

(a) The Department shall, subject to appropriation, provide technical assistance to grantees awarded grants under the Act, and other small, independently owned grocery stores to ensure their long-term viability and business success. Technical assistance, online resources, and materials provided shall include, but shall not be limited to, business planning, marketing, financing, supply chain management, and workforce development assistance.

(b) The Department may enter into grants, contracts, or other agreements to provide assistance. At least one technical assistance provider shall be located in a county with a population of at least 3,000,000 inhabitants, and at least one provider shall be located in a county with a population of less than 400,000 inhabitants.

Section 25. Rulemaking. The Department shall adopt rules to implement and administer this Act.

Section 30. The Illinois Enterprise Zone Act is amended by changing Section 5.5 as follows:

(20 ILCS 655/5.5) (from Ch. 67 1/2, par. 609.1)

Sec. 5.5. High Impact Business.

(a) In order to respond to unique opportunities to assist in the encouragement, development, growth, and expansion of the private sector through large scale investment and development projects, the Department is authorized to receive and approve applications for the designation of "High Impact Businesses" in Illinois, for an initial term of 20 years with an option for renewal for a term not to exceed 20 years, subject to the following conditions:

- (1) such applications may be submitted at any time during the year;
- (2) such business is not located, at the time of designation, in an enterprise zone designated pursuant to this Act;
- (3) the business intends to ~~do, commits to do, or is~~ one or more of the following:

(A) the business intends to make a minimum investment of \$12,000,000 which will be placed in service in qualified property and intends to create 500 full-time equivalent jobs at a designated location in Illinois or intends to make a minimum investment of \$30,000,000 which will be placed in service in qualified property and intends to retain 1,500 full-time retained jobs at a designated location in Illinois. The terms "placed in service" and "qualified property" have the same meanings as described in subsection (h) of Section 201 of the Illinois Income Tax Act;

or

(B) the business intends to establish a new electric generating facility at a designated location in Illinois. "New electric generating facility", for purposes of this Section, means a newly constructed electric generation plant or a newly constructed generation capacity expansion at an existing electric generation plant, including the transmission lines and associated equipment that transfers electricity from points of supply to points of delivery, and for which such new foundation construction commenced not sooner than July 1, 2001. Such facility shall be designed to provide baseload electric generation and shall operate on a continuous basis throughout the year; and (i) shall have an aggregate rated generating capacity of at least 1,000 megawatts for all new units at one site if it uses natural gas as its primary fuel and foundation construction of the facility is commenced on or before December 31, 2004, or shall have an aggregate rated generating capacity of at least 400 megawatts for all new units at one site if it uses coal or gases derived from coal as its primary fuel and shall support the creation of at least 150 new Illinois coal mining jobs, or (ii) shall be funded through a federal Department of Energy grant before December 31, 2010 and shall support the creation of Illinois coal-mining jobs, or (iii) shall use coal gasification or integrated gasification-combined cycle units that generate electricity or chemicals, or both, and shall support the creation of Illinois coal-mining jobs. The term "placed in service" has the same meaning as described in subsection (h) of Section 201 of the Illinois Income Tax Act; or

(B-5) the business intends to establish a new gasification facility at a designated location in Illinois. As used in this Section, "new gasification facility" means a newly constructed coal gasification facility that generates chemical feedstocks or transportation fuels derived from coal (which may include, but are not limited to, methane, methanol, and nitrogen fertilizer), that supports the creation or retention of Illinois coal-mining jobs, and that qualifies for financial assistance from the Department before December 31, 2010. A new gasification facility does not include a pilot project located within Jefferson County or within a county adjacent to Jefferson County for synthetic natural gas from coal; or

(C) the business intends to establish production operations at a new coal mine, re-establish production operations at a closed coal mine, or expand production at an existing coal mine at a designated location in Illinois not sooner than July 1, 2001; provided that the production operations result in the creation of 150 new Illinois coal mining jobs as described in subdivision (a)(3)(B) of this Section, and further provided that the coal extracted from such mine is utilized as the predominant source for a new electric generating facility. The term "placed in service" has the same meaning as described in subsection (h) of Section 201 of the Illinois Income Tax Act; or

(D) the business intends to construct new transmission facilities or upgrade existing transmission facilities at designated locations in Illinois, for which construction commenced not sooner than July 1, 2001. For the purposes of this Section, "transmission facilities" means transmission lines with a voltage rating of 115 kilovolts or above, including associated equipment, that transfer electricity from points of supply to points of delivery and that transmit a majority of the electricity generated by a new electric generating facility designated as a High Impact Business in accordance with this Section. The term "placed in service" has the same meaning as described in subsection (h) of Section 201 of the Illinois Income Tax Act; or

(E) the business intends to establish a new wind power facility at a designated location in Illinois. For purposes of this Section, "new wind power facility" means a newly constructed electric generation facility, a newly constructed expansion of an existing electric generation facility, or the replacement of an existing electric generation facility, including the demolition and removal of an electric generation facility irrespective of whether it will be replaced, placed in service or replaced on or after July 1, 2009, that generates electricity using wind energy devices, and such facility shall be deemed to include any permanent structures associated with the electric generation facility and all associated transmission lines, substations, and other equipment related to the generation of electricity from wind energy devices. For purposes of this Section, "wind energy device" means any device, with a nameplate capacity of at least 0.5 megawatts, that is used in the process of converting kinetic energy from the wind to generate electricity; or

(E-5) the business intends to establish a new utility-scale solar facility at a designated location in Illinois. For purposes of this Section, "new utility-scale solar power facility" means a

newly constructed electric generation facility, or a newly constructed expansion of an existing electric generation facility, placed in service on or after July 1, 2021, that (i) generates electricity using photovoltaic cells and (ii) has a nameplate capacity that is greater than 5,000 kilowatts, and such facility shall be deemed to include all associated transmission lines, substations, energy storage facilities, and other equipment related to the generation and storage of electricity from photovoltaic cells; or

(F) the business commits to (i) make a minimum investment of \$500,000,000, which will be placed in service in a qualified property, (ii) create 125 full-time equivalent jobs at a designated location in Illinois, (iii) establish a fertilizer plant at a designated location in Illinois that complies with the set-back standards as described in Table 1: Initial Isolation and Protective Action Distances in the 2012 Emergency Response Guidebook published by the United States Department of Transportation, (iv) pay a prevailing wage for employees at that location who are engaged in construction activities, and (v) secure an appropriate level of general liability insurance to protect against catastrophic failure of the fertilizer plant or any of its constituent systems; in addition, the business must agree to enter into a construction project labor agreement including provisions establishing wages, benefits, and other compensation for employees performing work under the project labor agreement at that location; for the purposes of this Section, "fertilizer plant" means a newly constructed or upgraded plant utilizing gas used in the production of anhydrous ammonia and downstream nitrogen fertilizer products for resale; for the purposes of this Section, "prevailing wage" means the hourly cash wages plus fringe benefits for training and apprenticeship programs approved by the U.S. Department of Labor, Bureau of Apprenticeship and Training, health and welfare, insurance, vacations and pensions paid generally, in the locality in which the work is being performed, to employees engaged in work of a similar character on public works; this paragraph (F) applies only to businesses that submit an application to the Department within 60 days after July 25, 2013 (the effective date of Public Act 98-109); ~~or and~~

(G) the business is an existing or planned grocery store, as that term is defined in Section 5 of the Grocery Initiative Act, and receives financial support under that Act within the 10 years before submitting its application under this Act; and

(4) no later than 90 days after an application is submitted, the Department shall notify the applicant of the Department's determination of the qualification of the proposed High Impact Business under this Section.

(b) Businesses designated as High Impact Businesses pursuant to subdivision (a)(3)(A) of this Section shall qualify for the credits and exemptions described in the following Acts: Section 9-222 and Section 9-222.1A of the Public Utilities Act, subsection (h) of Section 201 of the Illinois Income Tax Act, and Section 1d of the Retailers' Occupation Tax Act; provided that these credits and exemptions described in these Acts shall not be authorized until the minimum investments set forth in subdivision (a)(3)(A) of this Section have been placed in service in qualified properties and, in the case of the exemptions described in the Public Utilities Act and Section 1d of the Retailers' Occupation Tax Act, the minimum full-time equivalent jobs or full-time retained jobs set forth in subdivision (a)(3)(A) of this Section have been created or retained. Businesses designated as High Impact Businesses under this Section shall also qualify for the exemption described in Section 5l of the Retailers' Occupation Tax Act. The credit provided in subsection (h) of Section 201 of the Illinois Income Tax Act shall be applicable to investments in qualified property as set forth in subdivision (a)(3)(A) of this Section.

(b-5) Businesses designated as High Impact Businesses pursuant to subdivisions (a)(3)(B), (a)(3)(B-5), (a)(3)(C), ~~and~~ (a)(3)(D), and (a)(3)(G) of this Section shall qualify for the credits and exemptions described in the following Acts: Section 5l of the Retailers' Occupation Tax Act, Section 9-222 and Section 9-222.1A of the Public Utilities Act, and subsection (h) of Section 201 of the Illinois Income Tax Act; however, the credits and exemptions authorized under Section 9-222 and Section 9-222.1A of the Public Utilities Act, and subsection (h) of Section 201 of the Illinois Income Tax Act shall not be authorized until the new electric generating facility, the new gasification facility, the new transmission facility, ~~or~~ the new, expanded, or reopened coal mine, or the existing or planned grocery store is operational, except that a new electric generating facility whose primary fuel source is natural gas is eligible only for the exemption under Section 5l of the Retailers' Occupation Tax Act.

(b-6) Businesses designated as High Impact Businesses pursuant to subdivision (a)(3)(E) or (a)(3)(E-5) of this Section shall qualify for the exemptions described in Section 5l of the Retailers'

Occupation Tax Act; any business so designated as a High Impact Business being, for purposes of this Section, a "Wind Energy Business".

(b-7) Beginning on January 1, 2021, businesses designated as High Impact Businesses by the Department shall qualify for the High Impact Business construction jobs credit under subsection (h-5) of Section 201 of the Illinois Income Tax Act if the business meets the criteria set forth in subsection (i) of this Section. The total aggregate amount of credits awarded under the Blue Collar Jobs Act (Article 20 of Public Act 101-9) shall not exceed \$20,000,000 in any State fiscal year.

(c) High Impact Businesses located in federally designated foreign trade zones or sub-zones are also eligible for additional credits, exemptions and deductions as described in the following Acts: Section 9-221 and Section 9-222.1 of the Public Utilities Act; and subsection (g) of Section 201, and Section 203 of the Illinois Income Tax Act.

(d) Except for businesses contemplated under subdivision (a)(3)(E), ~~or (a)(3)(E-5), (a)(3)(G)~~ of this Section, existing Illinois businesses which apply for designation as a High Impact Business must provide the Department with the prospective plan for which 1,500 full-time retained jobs would be eliminated in the event that the business is not designated.

(e) Except for ~~businesses new wind power facilities~~ contemplated under subdivision (a)(3)(E) or subdivision (a)(3)(G) of this Section, new proposed facilities which apply for designation as High Impact Business must provide the Department with proof of alternative non-Illinois sites which would receive the proposed investment and job creation in the event that the business is not designated as a High Impact Business.

(f) Except for businesses contemplated under subdivision (a)(3)(E) or subdivision (a)(3)(G) of this Section, in the event that a business is designated a High Impact Business and it is later determined after reasonable notice and an opportunity for a hearing as provided under the Illinois Administrative Procedure Act, that the business would have placed in service in qualified property the investments and created or retained the requisite number of jobs without the benefits of the High Impact Business designation, the Department shall be required to immediately revoke the designation and notify the Director of the Department of Revenue who shall begin proceedings to recover all wrongfully exempted State taxes with interest. The business shall also be ineligible for all State funded Department programs for a period of 10 years.

(g) The Department shall revoke a High Impact Business designation if the participating business fails to comply with the terms and conditions of the designation.

(h) Prior to designating a business, the Department shall provide the members of the General Assembly and Commission on Government Forecasting and Accountability with a report setting forth the terms and conditions of the designation and guarantees that have been received by the Department in relation to the proposed business being designated.

(i) High Impact Business construction jobs credit. Beginning on January 1, 2021, a High Impact Business may receive a tax credit against the tax imposed under subsections (a) and (b) of Section 201 of the Illinois Income Tax Act in an amount equal to 50% of the amount of the incremental income tax attributable to High Impact Business construction jobs credit employees employed in the course of completing a High Impact Business construction jobs project. However, the High Impact Business construction jobs credit may equal 75% of the amount of the incremental income tax attributable to High Impact Business construction jobs credit employees if the High Impact Business construction jobs credit project is located in an underserved area.

The Department shall certify to the Department of Revenue: (1) the identity of taxpayers that are eligible for the High Impact Business construction jobs credit; and (2) the amount of High Impact Business construction jobs credits that are claimed pursuant to subsection (h-5) of Section 201 of the Illinois Income Tax Act in each taxable year. Any business entity that receives a High Impact Business construction jobs credit shall maintain a certified payroll pursuant to subsection (j) of this Section.

As used in this subsection (i):

"High Impact Business construction jobs credit" means an amount equal to 50% (or 75% if the High Impact Business construction project is located in an underserved area) of the incremental income tax attributable to High Impact Business construction job employees. The total aggregate amount of credits awarded under the Blue Collar Jobs Act (Article 20 of Public Act 101-9) shall not exceed \$20,000,000 in any State fiscal year

"High Impact Business construction job employee" means a laborer or worker who is employed by an Illinois contractor or subcontractor in the actual construction work on the site of a High Impact Business construction job project.

"High Impact Business construction jobs project" means building a structure or building or making improvements of any kind to real property, undertaken and commissioned by a business that was designated as a High Impact Business by the Department. The term "High Impact Business construction jobs project" does not include the routine operation, routine repair, or routine maintenance of existing structures, buildings, or real property.

"Incremental income tax" means the total amount withheld during the taxable year from the compensation of High Impact Business construction job employees.

"Underserved area" means a geographic area that meets one or more of the following conditions:

(1) the area has a poverty rate of at least 20% according to the latest American Community Survey;

(2) 35% or more of the families with children in the area are living below 130% of the poverty line, according to the latest American Community Survey;

(3) at least 20% of the households in the area receive assistance under the Supplemental Nutrition Assistance Program (SNAP); or

(4) the area has an average unemployment rate, as determined by the Illinois Department of Employment Security, that is more than 120% of the national unemployment average, as determined by the U.S. Department of Labor, for a period of at least 2 consecutive calendar years preceding the date of the application.

(j) Each contractor and subcontractor who is engaged in and executing a High Impact Business Construction jobs project, as defined under subsection (i) of this Section, for a business that is entitled to a credit pursuant to subsection (i) of this Section shall:

(1) make and keep, for a period of 5 years from the date of the last payment made on or after June 5, 2019 (the effective date of Public Act 101-9) on a contract or subcontract for a High Impact Business Construction Jobs Project, records for all laborers and other workers employed by the contractor or subcontractor on the project; the records shall include:

- (A) the worker's name;
- (B) the worker's address;
- (C) the worker's telephone number, if available;
- (D) the worker's social security number;
- (E) the worker's classification or classifications;
- (F) the worker's gross and net wages paid in each pay period;
- (G) the worker's number of hours worked each day;
- (H) the worker's starting and ending times of work each day;
- (I) the worker's hourly wage rate;
- (J) the worker's hourly overtime wage rate;
- (K) the worker's race and ethnicity; and
- (L) the worker's gender;

(2) no later than the 15th day of each calendar month, provide a certified payroll for the immediately preceding month to the taxpayer in charge of the High Impact Business construction jobs project; within 5 business days after receiving the certified payroll, the taxpayer shall file the certified payroll with the Department of Labor and the Department of Commerce and Economic Opportunity; a certified payroll must be filed for only those calendar months during which construction on a High Impact Business construction jobs project has occurred; the certified payroll shall consist of a complete copy of the records identified in paragraph (1) of this subsection (j), but may exclude the starting and ending times of work each day; the certified payroll shall be accompanied by a statement signed by the contractor or subcontractor or an officer, employee, or agent of the contractor or subcontractor which avers that:

(A) he or she has examined the certified payroll records required to be submitted by the Act and such records are true and accurate; and

(B) the contractor or subcontractor is aware that filing a certified payroll that he or she knows to be false is a Class A misdemeanor.

A general contractor is not prohibited from relying on a certified payroll of a lower-tier subcontractor, provided the general contractor does not knowingly rely upon a subcontractor's false certification.

Any contractor or subcontractor subject to this subsection, and any officer, employee, or agent of such contractor or subcontractor whose duty as an officer, employee, or agent it is to file a certified payroll under this subsection, who willfully fails to file such a certified payroll on or before the date such certified payroll is required by this paragraph to be filed and any person who willfully files a false certified payroll that is false as to any material fact is in violation of this Act and guilty of a Class A misdemeanor.

The taxpayer in charge of the project shall keep the records submitted in accordance with this subsection on or after June 5, 2019 (the effective date of Public Act 101-9) for a period of 5 years from the date of the last payment for work on a contract or subcontract for the High Impact Business construction jobs project.

The records submitted in accordance with this subsection shall be considered public records, except an employee's address, telephone number, and social security number, and made available in accordance with the Freedom of Information Act. The Department of Labor shall share the information with the Department in order to comply with the awarding of a High Impact Business construction jobs credit. A contractor, subcontractor, or public body may retain records required under this Section in paper or electronic format.

(k) Upon 7 business days' notice, each contractor and subcontractor shall make available for inspection and copying at a location within this State during reasonable hours, the records identified in this subsection (j) to the taxpayer in charge of the High Impact Business construction jobs project, its officers and agents, the Director of the Department of Labor and his or her deputies and agents, and to federal, State, or local law enforcement agencies and prosecutors.

(l) The changes made to this Section by this amendatory Act of the 102nd General Assembly, other than the changes in subsection (a), apply to high impact businesses that submit applications on or after the effective date of this amendatory Act of the 102nd General Assembly.

(Source: P.A. 101-9, eff. 6-5-19; 102-108, eff. 1-1-22; 102-558, eff. 8-20-21; 102-605, eff. 8-27-21; 102-662, eff. 9-15-21; 102-673, eff. 11-30-21; 102-813, eff. 5-13-22; 102-1125, eff. 2-3-23.)

Section 35. The Public Utilities Act is amended by changing Section 9-222.1A as follows:

(220 ILCS 5/9-222.1A)

Sec. 9-222.1A. High impact business. Beginning on August 1, 1998 and thereafter, a business enterprise that is certified as a High Impact Business by the Department of Commerce and Economic Opportunity (formerly Department of Commerce and Community Affairs) is exempt from the tax imposed by Section 2-4 of the Electricity Excise Tax Law, if the High Impact Business is registered to self-assess that tax, and is exempt from any additional charges added to the business enterprise's utility bills as a pass-on of State utility taxes under Section 9-222 of this Act, to the extent the tax or charges are exempted by the percentage specified by the Department of Commerce and Economic Opportunity for State utility taxes, provided the business enterprise meets the following criteria:

(1) (A) it intends either (i) to make a minimum eligible investment of \$12,000,000 that will be placed in service in qualified property in Illinois and is intended to create at least 500 full-time equivalent jobs at a designated location in Illinois; or (ii) to make a minimum eligible investment of \$30,000,000 that will be placed in service in qualified property in Illinois and is intended to retain at least 1,500 full-time equivalent jobs at a designated location in Illinois; or

(B) it meets the criteria of subdivision (a)(3)(B), (a)(3)(C), (a)(3)(D), ~~or (a)(3)(F),~~ or (a)(3)(G) of Section 5.5 of the Illinois Enterprise Zone Act;

(2) it is designated as a High Impact Business by the Department of Commerce and Economic Opportunity; and

(3) it is certified by the Department of Commerce and Economic Opportunity as complying with the requirements specified in clauses (1) and (2) of this Section.

The Department of Commerce and Economic Opportunity shall determine the period during which the exemption from the Electricity Excise Tax Law and the charges imposed under Section 9-222 are in effect and shall specify the percentage of the exemption from those taxes or additional charges.

The Department of Commerce and Economic Opportunity is authorized to promulgate rules and regulations to carry out the provisions of this Section, including procedures for complying with the requirements specified in clauses (1) and (2) of this Section and procedures for applying for the exemptions authorized under this Section; to define the amounts and types of eligible investments that business enterprises must make in order to receive State utility tax exemptions or exemptions from the additional charges imposed under Section 9-222 and this Section; to approve such utility tax exemptions for business

enterprises whose investments are not yet placed in service; and to require that business enterprises granted tax exemptions or exemptions from additional charges under Section 9-222 repay the exempted amount if the business enterprise fails to comply with the terms and conditions of the certification.

Upon certification of the business enterprises by the Department of Commerce and Economic Opportunity, the Department of Commerce and Economic Opportunity shall notify the Department of Revenue of the certification. The Department of Revenue shall notify the public utilities of the exemption status of business enterprises from the tax or pass-on charges of State utility taxes. The exemption status shall take effect within 3 months after certification of the business enterprise. (Source: P.A. 102-1125, eff. 2-3-23.)"

Under the rules, the foregoing **Senate Bill No. 850**, with House Amendment No. 1, was referred to the Secretary's Desk.

A message from the House by

Mr. Hollman, Clerk:

Mr. President -- I am directed to inform the Senate that the House of Representatives has concurred with the Senate in the passage of a bill of the following title, to-wit:

SENATE BILL NO. 1463

A bill for AN ACT concerning minors.

Together with the following amendment which is attached, in the adoption of which I am instructed to ask the concurrence of the Senate, to-wit:

House Amendment No. 1 to SENATE BILL NO. 1463

Passed the House, as amended, May 18, 2023.

JOHN W. HOLLMAN, Clerk of the House

AMENDMENT NO. 1 TO SENATE BILL 1463

AMENDMENT NO. 1. Amend Senate Bill 1463 on page 2, lines 11 through 13, by replacing "The court shall not order any fees, fines, costs, or other applicable assessments authorized under this Section against" with "Fines and assessments, such as fees or administrative costs, authorized under this Section shall not be ordered or imposed on"; and

on page 25, lines 7 through 9, by replacing "the court shall not order any fees, fines, costs, or other applicable assessments authorized under this Section against" with "fines and assessments, such as fees or administrative costs, authorized under this Section shall not be ordered or imposed on"; and

on page 27, lines 5 through 7, by replacing "the court shall not order any fees, fines, costs, or other applicable assessments authorized under this Section against" with "fines and assessments, such as fees or administrative costs, authorized under this Section shall not be ordered or imposed on"; and

on page 28, lines 7 through 9, by replacing "the court shall not order any fees, fines, costs, or other applicable assessments authorized under this Section against" with "fines and assessments, such as fees or administrative costs, authorized under this Section shall not be ordered or imposed on"; and

on page 29, lines 13 and 14, by replacing "the court shall not order a fee or other cost under this subsection (c-3) against" with "assessments, such as fees or administrative costs, under this subsection (c-3) shall not be ordered or imposed on"; and

on page 30, lines 18 and 19, by replacing "the court shall not order a fee or other cost under this subsection (c-5) against" with "assessments, such as fees or administrative costs, under this subsection (c-5) shall not be ordered or imposed on"; and

on page 32, lines 12 and 13, by replacing "the costs, fees, or any other assessments referenced in this Section shall not apply to" with "fines and assessments, such as fees or administrative costs, authorized in this Section shall not be ordered or imposed on"; and

[May 18, 2023]

on page 42, lines 19 and 20, by replacing "the fees, fines, or other assessments under this Section shall not apply to" with "fines and assessments, such as fees or administrative costs authorized in this Section, shall not be ordered or imposed on"; and

by replacing line 3 on page 43 through line 22 on page 45 with the following:

"Section 20. The Juvenile Court Act of 1987 is amended by changing Sections 1-8, 3-17, 3-19, 3-21, 3-24, 3-33.5, 4-14, 4-16, 4-18, 4-21, 5-525, 5-610, 5-615, 5-710, 5-715, 5-915, 6-7, and 6-9 and by adding Section 1-19 as follows:

(705 ILCS 405/1-8)

Sec. 1-8. Confidentiality and accessibility of juvenile court records.

(A) A juvenile adjudication shall never be considered a conviction nor shall an adjudicated individual be considered a criminal. Unless expressly allowed by law, a juvenile adjudication shall not operate to impose upon the individual any of the civil disabilities ordinarily imposed by or resulting from conviction. Unless expressly allowed by law, adjudications shall not prejudice or disqualify the individual in any civil service application or appointment, from holding public office, or from receiving any license granted by public authority. All juvenile court records which have not been expunged are sealed and may never be disclosed to the general public or otherwise made widely available. Sealed juvenile court records may be obtained only under this Section and Section 1-7 and Part 9 of Article V of this Act, when their use is needed for good cause and with an order from the juvenile court. Inspection and copying of juvenile court records relating to a minor who is the subject of a proceeding under this Act shall be restricted to the following:

(1) The minor who is the subject of record, his or her parents, guardian, and counsel.

(2) Law enforcement officers and law enforcement agencies when such information is essential to executing an arrest or search warrant or other compulsory process, or to conducting an ongoing investigation or relating to a minor who has been adjudicated delinquent and there has been a previous finding that the act which constitutes the previous offense was committed in furtherance of criminal activities by a criminal street gang.

Before July 1, 1994, for the purposes of this Section, "criminal street gang" means any ongoing organization, association, or group of 3 or more persons, whether formal or informal, having as one of its primary activities the commission of one or more criminal acts and that has a common name or common identifying sign, symbol or specific color apparel displayed, and whose members individually or collectively engage in or have engaged in a pattern of criminal activity.

Beginning July 1, 1994, for purposes of this Section, "criminal street gang" has the meaning ascribed to it in Section 10 of the Illinois Streetgang Terrorism Omnibus Prevention Act.

(3) Judges, hearing officers, prosecutors, public defenders, probation officers, social workers, or other individuals assigned by the court to conduct a pre-adjudication or pre-disposition investigation, and individuals responsible for supervising or providing temporary or permanent care and custody for minors under the order of the juvenile court when essential to performing their responsibilities.

(4) Judges, federal, State, and local prosecutors, public defenders, probation officers, and designated staff:

(a) in the course of a trial when institution of criminal proceedings has been permitted or required under Section 5-805;

(b) when criminal proceedings have been permitted or required under Section 5-805 and a minor is the subject of a proceeding to determine the conditions of pretrial release;

(c) when criminal proceedings have been permitted or required under Section 5-805 and a minor is the subject of a pre-trial investigation, pre-sentence investigation or fitness hearing, or proceedings on an application for probation; or

(d) when a minor becomes 18 years of age or older, and is the subject of criminal proceedings, including a hearing to determine the conditions of pretrial release, a pre-trial investigation, a pre-sentence investigation, a fitness hearing, or proceedings on an application for probation.

(5) Adult and Juvenile Prisoner Review Boards.

(6) Authorized military personnel.

(6.5) Employees of the federal government authorized by law.

(7) Victims, their subrogees and legal representatives; however, such persons shall have access only to the name and address of the minor and information pertaining to the disposition or alternative adjustment plan of the juvenile court.

(8) Persons engaged in bona fide research, with the permission of the presiding judge of the juvenile court and the chief executive of the agency that prepared the particular records; provided that publication of such research results in no disclosure of a minor's identity and protects the confidentiality of the record.

(9) The Secretary of State to whom the Clerk of the Court shall report the disposition of all cases, as required in Section 6-204 of the Illinois Vehicle Code. However, information reported relative to these offenses shall be privileged and available only to the Secretary of State, courts, and police officers.

(10) The administrator of a bonafide substance abuse student assistance program with the permission of the presiding judge of the juvenile court.

(11) Mental health professionals on behalf of the Department of Corrections or the Department of Human Services or prosecutors who are evaluating, prosecuting, or investigating a potential or actual petition brought under the Sexually Violent Persons Commitment Act relating to a person who is the subject of juvenile court records or the respondent to a petition brought under the Sexually Violent Persons Commitment Act, who is the subject of juvenile court records sought. Any records and any information obtained from those records under this paragraph (11) may be used only in sexually violent persons commitment proceedings.

(12) ~~(Blank). Collection agencies, contracted or otherwise engaged by a governmental entity, to collect any debts due and owing to the governmental entity.~~

(A-1) Findings and exclusions of paternity entered in proceedings occurring under Article II of this Act shall be disclosed, in a manner and form approved by the Presiding Judge of the Juvenile Court, to the Department of Healthcare and Family Services when necessary to discharge the duties of the Department of Healthcare and Family Services under Article X of the Illinois Public Aid Code.

(B) A minor who is the victim in a juvenile proceeding shall be provided the same confidentiality regarding disclosure of identity as the minor who is the subject of record.

(C)(0.1) In cases where the records concern a pending juvenile court case, the requesting party seeking to inspect the juvenile court records shall provide actual notice to the attorney or guardian ad litem of the minor whose records are sought.

(0.2) In cases where the juvenile court records concern a juvenile court case that is no longer pending, the requesting party seeking to inspect the juvenile court records shall provide actual notice to the minor or the minor's parent or legal guardian, and the matter shall be referred to the chief judge presiding over matters pursuant to this Act.

(0.3) In determining whether juvenile court records should be made available for inspection and whether inspection should be limited to certain parts of the file, the court shall consider the minor's interest in confidentiality and rehabilitation over the requesting party's interest in obtaining the information. The State's Attorney, the minor, and the minor's parents, guardian, and counsel shall at all times have the right to examine court files and records.

(0.4) Any records obtained in violation of this Section shall not be admissible in any criminal or civil proceeding, or operate to disqualify a minor from subsequently holding public office, or operate as a forfeiture of any public benefit, right, privilege, or right to receive any license granted by public authority.

(D) Pending or following any adjudication of delinquency for any offense defined in Sections 11-1.20 through 11-1.60 or 12-13 through 12-16 of the Criminal Code of 1961 or the Criminal Code of 2012, the victim of any such offense shall receive the rights set out in Sections 4 and 6 of the Bill of Rights for Victims and Witnesses of Violent Crime Act; and the juvenile who is the subject of the adjudication, notwithstanding any other provision of this Act, shall be treated as an adult for the purpose of affording such rights to the victim.

(E) Nothing in this Section shall affect the right of a Civil Service Commission or appointing authority of the federal government, or any state, county, or municipality examining the character and fitness of an applicant for employment with a law enforcement agency, correctional institution, or fire department to ascertain whether that applicant was ever adjudicated to be a delinquent minor and, if so, to examine the records of disposition or evidence which were made in proceedings under this Act.

(F) Following any adjudication of delinquency for a crime which would be a felony if committed by an adult, or following any adjudication of delinquency for a violation of Section 24-1, 24-3, 24-3.1, or 24-5

of the Criminal Code of 1961 or the Criminal Code of 2012, the State's Attorney shall ascertain whether the minor respondent is enrolled in school and, if so, shall provide a copy of the dispositional order to the principal or chief administrative officer of the school. Access to the dispositional order shall be limited to the principal or chief administrative officer of the school and any school counselor designated by him or her.

(G) Nothing contained in this Act prevents the sharing or disclosure of information or records relating or pertaining to juveniles subject to the provisions of the Serious Habitual Offender Comprehensive Action Program when that information is used to assist in the early identification and treatment of habitual juvenile offenders.

(H) When a court hearing a proceeding under Article II of this Act becomes aware that an earlier proceeding under Article II had been heard in a different county, that court shall request, and the court in which the earlier proceedings were initiated shall transmit, an authenticated copy of the juvenile court record, including all documents, petitions, and orders filed and the minute orders, transcript of proceedings, and docket entries of the court.

(I) The Clerk of the Circuit Court shall report to the Illinois State Police, in the form and manner required by the Illinois State Police, the final disposition of each minor who has been arrested or taken into custody before his or her 18th birthday for those offenses required to be reported under Section 5 of the Criminal Identification Act. Information reported to the Department under this Section may be maintained with records that the Department files under Section 2.1 of the Criminal Identification Act.

(J) The changes made to this Section by Public Act 98-61 apply to juvenile law enforcement records of a minor who has been arrested or taken into custody on or after January 1, 2014 (the effective date of Public Act 98-61).

(K) Willful violation of this Section is a Class C misdemeanor and each violation is subject to a fine of \$1,000. This subsection (K) shall not apply to the person who is the subject of the record.

(L) A person convicted of violating this Section is liable for damages in the amount of \$1,000 or actual damages, whichever is greater.

(Source: P.A. 101-652, eff. 1-1-23; 102-197, eff. 7-30-21; 102-538, eff. 8-20-21; 102-813, eff. 5-13-22.)

(705 ILCS 405/1-19 new)

Sec. 1-19. Fines, assessments, civil judgments, and outstanding balances owed by minors or their parents, guardians, or legal custodians; report.

(a) Except for restitution and assessments issued for adjudications under Section 5-125 of this Act, fines and assessments, such as fees or administrative costs, shall not be ordered or imposed on the following individuals as of the effective date of this amendatory Act of the 103rd General Assembly:

(1) a minor subject to Article III, IV, or V of this Act, or the minor's parent, guardian, or legal custodian; or

(2) a minor under the age of 18 transferred to adult court or excluded from juvenile court jurisdiction under Article V of this Act, or the minor's parent, guardian, or legal custodian.

(b) Except for restitution and assessments issued for adjudications under Section 5-125 of this Act, all unsatisfied civil judgments, outstanding balances for fines, and outstanding balances for assessments, such as fees or administrative costs, including interest, penalties, or collection fees entered prior to the effective date of this amendatory Act of the 103rd General Assembly in cases pursuant to subsection (a) of this Section, are null, void, satisfied, and not collectible.

(c) Except for restitution and assessments issued for adjudications under Section 5-125 of this Act, within one year of the effective date of this amendatory Act of the 103rd General Assembly, the circuit court clerk of each county shall discharge and waive 100% of all outstanding balances for unsatisfied civil judgments, unpaid fines, and unpaid assessments such as fees or administrative costs, including interest, penalties, or collection fees, entered against a minor or the minor's parent, guardian, or legal custodian in the following:

(1) cases involving a minor subject to Article III, IV, or V of this Act; and

(2) cases involving a minor under the age of 18 transferred to adult court or excluded from juvenile court jurisdiction under Article V of this Act.

(d) Within 30 calendar days after the effective date of this amendatory Act of the 103rd General Assembly, the State's Attorney or circuit court clerk in each county shall provide written notice to collection agencies contracted or assigned to collect outstanding balances in cases pursuant to this Section that outstanding balances for unsatisfied civil judgments, unpaid fines, and unpaid assessments such as fees or administrative costs, including interest, penalties, or collection fees, are null, void, satisfied, and not collectible as of the effective date of this amendatory Act of the 103rd General Assembly.

(e) If a payment is made by a minor or his or her parent, guardian, or legal custodian on or after the effective date of this amendatory Act of the 103rd General Assembly, the circuit court clerk shall reimburse payments made towards unsatisfied civil judgments, unpaid fines, or unpaid assessments such as fees or administrative costs, including interest, penalties, or collection fees, made null, void, satisfied, and uncollectible by this amendatory Act of the 103rd General Assembly.

(f) Within one year of the effective date of this amendatory Act of the 103rd General Assembly, the circuit court clerk of each county shall report to the Illinois Juvenile Justice Commission the following data, in a form and manner to be determined by the Commission, specific to all outstanding balances for unsatisfied civil judgments, unpaid fines, and unpaid assessments, such as fees or administrative costs, made null, void, satisfied, and not collectible by this amendatory Act of the 103rd General Assembly:

(1) As of the effective date of this amendatory Act of the 103rd General Assembly, the total number of cases or individuals pursuant to this amendatory Act of the 103rd General Assembly which:

(A) have outstanding balances; and

(B) have outstanding balances converted into civil judgments;

(2) The number of cases or individuals with outstanding balances discharged and waived pursuant to this amendatory Act of the 103rd General Assembly; and

(3) The total amount of outstanding balances discharged and waived pursuant to this amendatory Act of the 103rd General Assembly for the following:

(A) unsatisfied civil judgments;

(B) unpaid fines; and

(C) unpaid assessments, such as fees or administrative costs."; and

by replacing lines 1 through 3 on page 48 with the following:

"(8) Fines or assessments, such as fees or administrative costs, in the service of process shall not be ordered or imposed on a minor or a minor's parent, guardian, or legal custodian."; and

on page 58, line 5, by replacing "The Court shall not order fees or fines" with "Fines or assessments, such as fees or administrative costs, shall not be ordered or imposed"; and

by replacing lines 12 through 14 on page 60 with the following:

"(8) Fines or assessments, such as fees or administrative costs, in the service of process shall not be ordered or imposed on a minor or a minor's parent, guardian, or legal custodian."; and

by replacing lines 24 through 26 on page 72 with the following:

"(5) Fines or assessments, such as fees or administrative costs in the service of process, shall not be ordered or imposed on a minor or a minor's parent, guardian, or legal custodian."; and

by replacing lines 7 through 12 on page 82 with the following:

"(12) Fines and assessments, including any fee or administrative cost authorized under Section 5-4.5-105, 5-5-10, 5-6-3, 5-6-3.1, 5-7-6, 5-9-1.4, or 5-9-1.9 of the Unified Code of Corrections, shall not be ordered or imposed on a minor or the minor's parent, guardian, or legal custodian as a condition of continuance under supervision. If the"; and

by replacing lines 8 through 13 on page 94 with the following:

"(13) Fines and assessments, including any fee or administrative cost authorized under Section 5-4.5-105, 5-5-10, 5-6-3, 5-6-3.1, 5-7-6, 5-9-1.4, or 5-9-1.9 of the Unified Code of Corrections, relating to any sentencing order shall not be ordered or imposed on a minor or the minor's parent, guardian, or legal custodian. The inability of a minor, or"; and

by replacing lines 7 through 13 on page 102 with the following:

"(7) Fines and assessments, including any fee or administrative cost authorized under Section 5-4.5-105, 5-5-10, 5-6-3, 5-6-3.1, 5-7-6, 5-9-1.4, or 5-9-1.9 of the Unified Code of Corrections, shall not be ordered or imposed on a minor or the minor's parent, guardian, or legal custodian as a condition of probation, conditional discharge, or supervision. If the minor or the minor's parent, guardian, or"; and

by replacing line 25 on page 114 through line 2 on page 115 with the following:

"Costs associated with detention, legal representation, or other services or programs under Article III, IV, or V of this Act shall not be ordered or imposed on a parent, guardian, or legal custodian liable under the law for the support of a minor."; and

on page 119, lines 10 and 11, by replacing "The court shall not order any fees, fines, or administrative costs under this Section" with "Fines and assessments, such as fees or administrative costs, under this Section shall not be ordered or imposed"; and

on page 123, lines 22 and 23, by replacing "The court shall not order any fees, fines, or administrative costs" with "Fines and assessments, such as fees or administrative costs, shall not be ordered or imposed"; and

on page 128, lines 14 and 15, by replacing "The court shall not order fees, fines, or administrative costs" with "Fines and assessments, such as fees or administrative costs, shall not be ordered or imposed"; and

on page 131, lines 12 and 13, by replacing "The court shall not order fines or any other applicable assessments authorized under this Section" with "Fines and assessments, such as fees or administrative costs, authorized under this Section shall not be ordered or imposed"; and

on page 135, lines 10 and 11, by replacing "The court shall not order fees, fines, costs or any other assessments authorized under this Section" with "Fines and assessments, such as fees or administrative costs, authorized under this Section shall not be ordered or imposed"; and

on page 135, line 21, by replacing "and 5-9-1.9" with "5-9-1.9, and 5-9-3"; and

on page 138, lines 4 and 5, by replacing "The court shall not order any fees, fines, or administrative costs" with "Fines and assessments, such as fees or administrative costs, shall not be ordered or imposed"; and

on page 162, lines 6 through 8, by replacing "the court shall not order any fees, fines, costs, or other applicable assessments authorized under this Section against" with "and assessments issued for adjudications under Section 5-125 of the Juvenile Court Act of 1987, fines and assessments, such as fees or administrative costs, authorized under this Section shall not be ordered or imposed on"; and

on page 178, lines 21 through 23, by replacing "the court shall not order any fees, fines, costs, or other applicable assessments authorized under this Section against" with "and assessments issued for adjudications under Section 5-125 of the Juvenile Court Act of 1987, fines and assessments, such as fees or administrative costs, authorized under this Section shall not be ordered or imposed on"; and

on page 181, lines 23 and 24, by replacing "The court shall not order any fees, fines, costs, or other applicable assessments authorized under this Section against" with "Fines and assessments, such as fees or administrative costs, authorized under this Section shall not be ordered or imposed on"; and

on page 182, lines 20 through 21, by replacing "The court shall not order any costs authorized under this Section against" with "Fines and assessments, such as fees or administrative costs, authorized under this Section shall not be ordered or imposed on"; and

by replacing lines 2 through 4 on page 184 with the following:

"(c-1) A criminal laboratory analysis assessment, or equivalent fine or assessment, such as fees or administrative costs, shall not be ordered or imposed on a minor subject to Article III, IV, or"; and

by replacing line 26 on page 187 through line 2 on page 188 with the following:

"(c-1) A criminal laboratory DUI analysis assessment, or equivalent fine or assessment, such as fees or administrative costs, shall not be ordered or imposed on a minor subject to Article III, IV,"; and

on page 190, below line 20, by inserting the following:

"(730 ILCS 5/5-9-3) (from Ch. 38, par. 1005-9-3)
Sec. 5-9-3. Default.

(a) An offender who defaults in the payment of a fine or any installment of that fine may be held in contempt and imprisoned for nonpayment. The court may issue a summons for his appearance or a warrant of arrest.

(b) Unless the offender shows that his default was not due to his intentional refusal to pay, or not due to a failure on his part to make a good faith effort to pay, the court may order the offender imprisoned for a term not to exceed 6 months if the fine was for a felony, or 30 days if the fine was for a misdemeanor, a petty offense or a business offense. Payment of the fine at any time will entitle the offender to be released, but imprisonment under this Section shall not satisfy the payment of the fine.

(c) If it appears that the default in the payment of a fine is not intentional under paragraph (b) of this Section, the court may enter an order allowing the offender additional time for payment, reducing the amount of the fine or of each installment, or revoking the fine or the unpaid portion.

(d) When a fine is imposed on a corporation or unincorporated organization or association, it is the duty of the person or persons authorized to make disbursement of assets, and their superiors, to pay the fine from assets of the corporation or unincorporated organization or association. The failure of such persons to do so shall render them subject to proceedings under paragraphs (a) and (b) of this Section.

(e) A default in the payment of a fine, fee, cost, order of restitution, judgment of bond forfeiture, judgment order of forfeiture, or any installment thereof may be collected by any and all means authorized for the collection of money judgments. The State's Attorney of the county in which the fine, fee, cost, order of restitution, judgment of bond forfeiture, or judgment order of forfeiture was imposed may retain attorneys and private collection agents for the purpose of collecting any default in payment of any fine, fee, cost, order of restitution, judgment of bond forfeiture, judgment order of forfeiture, or installment thereof. An additional fee of 30% of the delinquent amount and each taxable court cost including, without limitation, costs of service of process, shall be charged to the offender for any amount of the fine, fee, cost, restitution, or judgment of bond forfeiture or installment of the fine, fee, cost, restitution, or judgment of bond forfeiture that remains unpaid after the time fixed for payment of the fine, fee, cost, restitution, or judgment of bond forfeiture by the court. The additional fee shall be payable to the State's Attorney in order to compensate the State's Attorney for costs incurred in collecting the delinquent amount. The State's Attorney may enter into agreements assigning any portion of the fee to the retained attorneys or the private collection agent retained by the State's Attorney. Any agreement between the State's Attorney and the retained attorneys or collection agents shall require the approval of the Circuit Clerk of that county. A default in payment of a fine, fee, cost, restitution, or judgment of bond forfeiture shall draw interest at the rate of 9% per annum.

(f) This Section does not apply against a minor or the minor's parent, guardian, or legal custodian in cases subject to Article III, IV, or V of the Juvenile Court Act of 1987, or a minor under the age of 18 transferred to adult court or excluded from juvenile court jurisdiction under Article V of the Juvenile Court Act of 1987.

(Source: P.A. 98-373, eff. 1-1-14.)"

Under the rules, the foregoing **Senate Bill No. 1463**, with House Amendment No. 1, was referred to the Secretary's Desk.

A message from the House by

Mr. Hollman, Clerk:

Mr. President -- I am directed to inform the Senate that the House of Representatives has concurred with the Senate in the passage of bills of the following titles, to-wit:

SENATE BILL NO. 1438

A bill for AN ACT concerning transportation.

SENATE BILL NO. 1446

A bill for AN ACT concerning education.

Passed the House, May 18, 2023.

JOHN W. HOLLMAN, Clerk of the House

A message from the House by

Mr. Hollman, Clerk:

[May 18, 2023]

Mr. President -- I am directed to inform the Senate that the House of Representatives has concurred with the Senate in the adoption of the following joint resolution, to-wit:

SENATE JOINT RESOLUTION NO. 7

Concurred in by the House, May 18, 2023.

JOHN W. HOLLMAN, Clerk of the House

A message from the House by

Mr. Hollman, Clerk:

Mr. President -- I am directed to inform the Senate that the House of Representatives has concurred with the Senate in the adoption of the following joint resolution, to-wit:

SENATE JOINT RESOLUTION NO. 22

Concurred in by the House, May 18, 2023.

JOHN W. HOLLMAN, Clerk of the House

A message from the House by

Mr. Hollman, Clerk:

Mr. President -- I am directed to inform the Senate that the House of Representatives has concurred with the Senate in the adoption of their amendment to a bill of the following title, to-wit:

HOUSE BILL NO. 475

A bill for AN ACT concerning local government.

Which amendment is as follows:

Senate Amendment No. 3 to HOUSE BILL NO. 475

Concurred in by the House, May 18, 2023.

JOHN W. HOLLMAN, Clerk of the House

A message from the House by

Mr. Hollman, Clerk:

Mr. President -- I am directed to inform the Senate that the House of Representatives has concurred with the Senate in the adoption of their amendments to a bill of the following title, to-wit:

HOUSE BILL NO. 1131

A bill for AN ACT concerning local government.

Which amendments are as follows:

Senate Amendment No. 1 to HOUSE BILL NO. 1131

Senate Amendment No. 2 to HOUSE BILL NO. 1131

Senate Amendment No. 3 to HOUSE BILL NO. 1131

Concurred in by the House, May 18, 2023.

JOHN W. HOLLMAN, Clerk of the House

A message from the House by

Mr. Hollman, Clerk:

Mr. President -- I am directed to inform the Senate that the House of Representatives has concurred with the Senate in the adoption of their amendment to a bill of the following title, to-wit:

HOUSE BILL NO. 1132

A bill for AN ACT concerning safety.

Which amendment is as follows:

Senate Amendment No. 1 to HOUSE BILL NO. 1132

Concurred in by the House, May 18, 2023.

JOHN W. HOLLMAN, Clerk of the House

A message from the House by

Mr. Hollman, Clerk:

Mr. President -- I am directed to inform the Senate that the House of Representatives has concurred with the Senate in the adoption of their amendments to a bill of the following title, to-wit:

HOUSE BILL NO. 1268

A bill for AN ACT concerning civil law.

Which amendments are as follows:

Senate Amendment No. 1 to HOUSE BILL NO. 1268
Senate Amendment No. 2 to HOUSE BILL NO. 1268
Senate Amendment No. 4 to HOUSE BILL NO. 1268
Concurred in by the House, May 18, 2023.

JOHN W. HOLLMAN, Clerk of the House

A message from the House by
Mr. Hollman, Clerk:

Mr. President -- I am directed to inform the Senate that the House of Representatives has concurred with the Senate in the adoption of their amendment to a bill of the following title, to-wit:

HOUSE BILL NO. 2043

A bill for AN ACT concerning regulation.
Which amendment is as follows:
Senate Amendment No. 1 to HOUSE BILL NO. 2043
Concurred in by the House, May 18, 2023.

JOHN W. HOLLMAN, Clerk of the House

A message from the House by
Mr. Hollman, Clerk:

Mr. President -- I am directed to inform the Senate that the House of Representatives has concurred with the Senate in the adoption of their amendment to a bill of the following title, to-wit:

HOUSE BILL NO. 2131

A bill for AN ACT concerning transportation.
Which amendment is as follows:
Senate Amendment No. 1 to HOUSE BILL NO. 2131
Concurred in by the House, May 18, 2023.

JOHN W. HOLLMAN, Clerk of the House

A message from the House by
Mr. Hollman, Clerk:

Mr. President -- I am directed to inform the Senate that the House of Representatives has concurred with the Senate in the adoption of their amendment to a bill of the following title, to-wit:

HOUSE BILL NO. 2222

A bill for AN ACT concerning civil law.
Which amendment is as follows:
Senate Amendment No. 1 to HOUSE BILL NO. 2222
Concurred in by the House, May 18, 2023.

JOHN W. HOLLMAN, Clerk of the House

READING BILLS FROM THE HOUSE OF REPRESENTATIVES A SECOND TIME

On motion of Senator Halpin, **House Bill No. 301** was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Harmon, **House Bill No. 579** was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Peters, **House Bill No. 2493** was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Pacione-Zayas, **House Bill No. 1119** was taken up, read by title a second time and ordered to a third reading.

[May 18, 2023]

LEGISLATIVE MEASURES FILED

The following Floor amendments to the House Bills listed below have been filed with the Secretary and referred to the Committee on Assignments:

Amendment No. 1 to House Bill 1199
 Amendment No. 6 to House Bill 1497
 Amendment No. 3 to House Bill 3062

The following Floor amendment to the Senate Bill listed below has been filed with the Secretary and referred to the Committee on Assignments:

Amendment No. 3 to Senate Bill 376

The following Committee amendment to the House Bill listed below has been filed with the Secretary and referred to the Committee on Assignments:

Amendment No. 1 to House Bill 2875

JOINT ACTION MOTIONS FILED

The following Joint Action Motions to the Senate Bills listed below have been filed with the Secretary and referred to the Committee on Assignments:

Motion to Concur in House Amendment No. 2 to Senate Bill 1291
 Motion to Concur in House Amendment No. 1 to Senate Bill 1675
 Motion to Concur in House Amendment No. 2 to Senate Bill 1675

COMMUNICATION**DISCLOSURE TO THE SENATE**

Date: May 18, 2023

Legislative Measure(s): HB 2217

Venue:

Committee on Judiciary
 Full Senate

Due to a potential conflict of interest (or the potential appearance thereof), I abstained from voting (or voted "present") on the above legislative measure(s).

Notwithstanding a potential conflict of interest (or the potential appearance thereof), I voted in favor of or against the above legislative measure(s) because I believe doing so is in the best interests of the State.

s/Chapin Rose
 Senator Chapin Rose

At the hour of 9:06 o'clock p.m., the Chair announced that the Senate stands adjourned until Friday, May 19, 2023, at 9:00 o'clock a.m.

[May 18, 2023]