

AN ACT concerning civil law.

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

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

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

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

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

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

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

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