

From: Fullington, Bonnie [mailto:Bonnie.Fullington@illinois.gov]
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Subject: FW: New Public Acts

The Governor has signed HB 5409, now known as Public Act 96-1454 (CPL legislation), and HB 5677, now known as Public Act 96-1457 (good funds amendment). Both are effective January 1, 2011.

Under P.A. 96-1454, CPL's are required for specified closings conducted by registered title insurance agents, may be issued on closings conducted by title insurance companies and must be issued on such closings upon the request of a party. The CPL's **must** protect sellers, buyers, borrowers and lenders, so Illinois-specific forms will be required. I believe the ILTA is working on some proposed forms. Moreover, the CPL's **must be issued by title insurance companies**, not title insurance agents, so many underwriters will need to revamp their procedures to comply with this new law.

Please familiarize yourself with the provisions of these two new Public Acts and be prepared for the January 1, 2011 effective date. On and after that date, even registered title insurance agents may not close transactions covered by the Act in the absence of a CPL issued by the title insurance underwriter. We will conduct another meeting of title insurers, likely on November 3, 2010, and will have further discussion concerning these provisions at that time. Meanwhile, if you have any questions, please feel free to contact me at your convenience.

Michael J. Rooney
Supervisor, Title Insurance Section
Department of Financial and Professional Regulation
100 W. Randolph, Room 9-143
Chicago, IL 60601
Office Phone: 312-814-6187
Cell Phone: 312-401-3454