

1 AN ACT concerning local government.

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

4 Section 5. The Counties Code is amended by changing Section
5 3-5018 as follows:

6 (55 ILCS 5/3-5018) (from Ch. 34, par. 3-5018)

7 Sec. 3-5018. Fees. The recorder elected as provided for in
8 this Division shall receive such fees as are or may be provided
9 for him or her by law, in case of provision therefor: otherwise
10 he or she shall receive the same fees as are or may be provided
11 in this Section, except when increased by county ordinance
12 pursuant to the provisions of this Section, to be paid to the
13 county clerk for his or her services in the office of recorder
14 for like services.

15 For recording deeds or other instruments, \$12 for the first
16 4 pages thereof, plus \$1 for each additional page thereof, plus
17 \$1 for each additional document number therein noted. The
18 aggregate minimum fee for recording any one instrument shall
19 not be less than \$12.

20 For recording deeds or other instruments wherein the
21 premises affected thereby are referred to by document number
22 and not by legal description, a fee of \$1 in addition to that
23 hereinabove referred to for each document number therein noted.

1 For recording assignments of mortgages, leases or liens,
2 \$12 for the first 4 pages thereof, plus \$1 for each additional
3 page thereof. However, except for leases and liens pertaining
4 to oil, gas and other minerals, whenever a mortgage, lease or
5 lien assignment assigns more than one mortgage, lease or lien
6 document, a \$7 fee shall be charged for the recording of each
7 such mortgage, lease or lien document after the first one.

8 For recording maps or plats of additions or subdivisions
9 approved by the county or municipality (including the spreading
10 of the same of record in map case or other proper books) or
11 plats of condominiums, \$50 for the first page, plus \$1 for each
12 additional page thereof except that in the case of recording a
13 single page, legal size 8 1/2 x 14, plat of survey in which
14 there are no more than two lots or parcels of land, the fee
15 shall be \$12. In each county where such maps or plats are to be
16 recorded, the recorder may require the same to be accompanied
17 by such number of exact, true and legible copies thereof as the
18 recorder deems necessary for the efficient conduct and
19 operation of his or her office.

20 For non-certified copies of records, an amount not to
21 exceed one-half of the amount provided in this Section for
22 certified copies, according to a standard scale of fees,
23 established by county ordinance and made public.

24 For certified copies of records, the same fees as for
25 recording, but in no case shall the fee for a certified copy of
26 a map or plat of an addition, subdivision or otherwise exceed

1 \$10.

2 Each certificate of such recorder of the recording of the
3 deed or other writing and of the date of recording the same
4 signed by such recorder, shall be sufficient evidence of the
5 recording thereof, and such certificate including the indexing
6 of record, shall be furnished upon the payment of the fee for
7 recording the instrument, and no additional fee shall be
8 allowed for the certificate or indexing.

9 The recorder shall charge an additional fee, in an amount
10 equal to the fee otherwise provided by law, for recording a
11 document (other than a document filed under the Plat Act or the
12 Uniform Commercial Code) that does not conform to the following
13 standards:

14 (1) The document shall consist of one or more
15 individual sheets measuring 8.5 inches by 11 inches, not
16 permanently bound and not a continuous form. Graphic
17 displays accompanying a document to be recorded that
18 measure up to 11 inches by 17 inches shall be recorded
19 without charging an additional fee.

20 (2) The document shall be legibly printed in black ink,
21 by hand, type, or computer. Signatures and dates may be in
22 contrasting colors if they will reproduce clearly.

23 (3) The document shall be on white paper of not less
24 than 20-pound weight and shall have a clean margin of at
25 least one-half inch on the top, the bottom, and each side.
26 Margins may be used for non-essential notations that will

1 not affect the validity of the document, including but not
2 limited to form numbers, page numbers, and customer
3 notations.

4 (4) The first page of the document shall contain a
5 blank space, measuring at least 3 inches by 5 inches, from
6 the upper right corner.

7 (5) The document shall not have any attachment stapled
8 or otherwise affixed to any page.

9 A document that does not conform to these standards shall not
10 be recorded except upon payment of the additional fee required
11 under this paragraph. This paragraph, as amended by this
12 amendatory Act of 1995, applies only to documents dated after
13 the effective date of this amendatory Act of 1995.

14 The county board of any county may provide for an
15 additional charge of \$3 for filing every instrument, paper, or
16 notice for record, (1) in order to defray the cost of
17 converting the county recorder's document storage system to
18 computers or micrographics and (2) in order to defray the cost
19 of providing access to records through the global information
20 system known as the Internet.

21 A special fund shall be set up by the treasurer of the
22 county and such funds collected pursuant to Public Act 83-1321
23 shall be used (1) for a document storage system to provide the
24 equipment, materials and necessary expenses incurred to help
25 defray the costs of implementing and maintaining such a
26 document records system and (2) for a system to provide

1 electronic access to those records.

2 The county board of any county that provides and maintains
3 a countywide map through a Geographic Information System (GIS)
4 may provide for an additional charge of \$3 for filing every
5 instrument, paper, or notice for record (1) in order to defray
6 the cost of implementing or maintaining the county's Geographic
7 Information System and (2) in order to defray the cost of
8 providing electronic access to the county's Geographic
9 Information System records. Of that amount, \$2 must be
10 deposited into a special fund set up by the treasurer of the
11 county, and any moneys collected pursuant to this amendatory
12 Act of the 91st General Assembly and deposited into that fund
13 must be used solely for the equipment, materials, and necessary
14 expenses incurred in implementing and maintaining a Geographic
15 Information System and in order to defray the cost of providing
16 electronic access to the county's Geographic Information
17 System records. The remaining \$1 must be deposited into the
18 recorder's special funds created under Section 3-5005.4. The
19 recorder may, in his or her discretion, use moneys in the funds
20 created under Section 3-5005.4 to defray the cost of
21 implementing or maintaining the county's Geographic
22 Information System and to defray the cost of providing
23 electronic access to the county's Geographic Information
24 System records.

25 The recorder shall collect a \$10 Rental Housing Support
26 Program State surcharge for the recordation of any real

1 estate-related document. Payment of the Rental Housing Support
2 Program State surcharge shall be evidenced by a receipt that
3 shall be marked upon or otherwise affixed to the real
4 estate-related document by the recorder. The form of this
5 receipt shall be prescribed by the Department of Revenue and
6 the receipts shall be issued by the Department of Revenue to
7 each county recorder.

8 The recorder shall not collect the Rental Housing Support
9 Program State surcharge from any State agency, any unit of
10 local government or any school district.

11 One dollar of each surcharge shall be retained by the
12 county in which it was collected. This dollar shall be
13 deposited into the county's general revenue fund. Fifty cents
14 of that amount shall be used for the costs of administering the
15 Rental Housing Support Program State surcharge and any other
16 lawful expenditures for the operation of the office of the
17 recorder and may not be appropriated or expended for any other
18 purpose. The amounts available to the recorder for expenditure
19 from the surcharge shall not offset or reduce any other county
20 appropriations or funding for the office of the recorder.

21 On the 15th day of each month, each county recorder shall
22 report to the Department of Revenue, on a form prescribed by
23 the Department, the number of real estate-related documents
24 recorded for which the Rental Housing Support Program State
25 surcharge was collected. Each recorder shall submit \$9 of each
26 surcharge collected in the preceding month to the Department of

1 Revenue and the Department shall deposit these amounts in the
2 Rental Housing Support Program Fund. Subject to appropriation,
3 amounts in the Fund may be expended only for the purpose of
4 funding and administering the Rental Housing Support Program.

5 For purposes of this Section, "real estate-related
6 document" means that term as it is defined in Section 7 of the
7 Rental Housing Support Program Act.

8 The foregoing fees allowed by this Section are the maximum
9 fees that may be collected from any officer, agency, department
10 or other instrumentality of the State. The county board may,
11 however, by ordinance, increase the fees allowed by this
12 Section and collect such increased fees from all persons and
13 entities other than officers, agencies, departments and other
14 instrumentalities of the State if the increase is justified by
15 an acceptable cost study showing that the fees allowed by this
16 Section are not sufficient to cover the cost of providing the
17 service. Regardless of any other provision in this Section, the
18 maximum fee that may be collected from the Department of
19 Revenue for filing or indexing a lien, certificate of lien
20 release or subordination, or any other type of notice or other
21 documentation affecting or concerning a lien is \$5. Regardless
22 of any other provision in this Section, the maximum fee that
23 may be collected from the Department of Revenue for indexing
24 each additional name in excess of one for any lien, certificate
25 of lien release or subordination, or any other type of notice
26 or other documentation affecting or concerning a lien is \$1.

1 A statement of the costs of providing each service, program
2 and activity shall be prepared by the county board. All
3 supporting documents shall be public record and subject to
4 public examination and audit. All direct and indirect costs, as
5 defined in the United States Office of Management and Budget
6 Circular A-87, may be included in the determination of the
7 costs of each service, program and activity.

8 (Source: P.A. 93-256, eff. 7-22-03; 94-118, eff. 7-5-05.)

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