



Sen. A. J. Wilhelmi

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LRB096 21533 RLJ 38369 a

1 AMENDMENT TO SENATE BILL 3749

2 AMENDMENT NO. _____. Amend Senate Bill 3749 by replacing
3 everything after the enacting clause with the following:

4 "Section 5. The Counties Code is amended by changing
5 Section 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, l \$12 for the first
16 4 pages thereof, plus \$1 for each additional page thereof, plus

1 \$1 for each additional document number therein noted. The
2 aggregate minimum fee for recording any one instrument shall
3 not be less than \$12.

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

8 For recording assignments of mortgages, leases or liens, a
9 \$12 for the first 4 pages thereof, plus \$1 for each additional
10 page thereof. However, except for leases and liens pertaining
11 to oil, gas and other minerals, whenever a mortgage, lease or
12 lien assignment assigns more than one mortgage, lease or lien
13 document, a \$7 fee shall be charged for the recording of each
14 such mortgage, lease or lien document after the first one.

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

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

5 For certified copies of records, the same fees as for
6 recording, but in no case shall the fee for a certified copy of
7 a map or plat of an addition, subdivision or otherwise exceed
8 \$10.

9 Each certificate of such recorder of the recording of the
10 deed or other writing and of the date of recording the same
11 signed by such recorder, shall be sufficient evidence of the
12 recording thereof, and such certificate including the indexing
13 of record, shall be furnished upon the payment of the fee for
14 recording the instrument, and no additional fee shall be
15 allowed for the certificate or indexing.

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

21 (1) The document shall consist of one or more
22 individual sheets measuring 8.5 inches by 11 inches, not
23 permanently bound and not a continuous form. Graphic
24 displays accompanying a document to be recorded that
25 measure up to 11 inches by 17 inches shall be recorded
26 without charging an additional fee.

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

4 (3) The document shall be on white paper of not less
5 than 20-pound weight and shall have a clean margin of at
6 least one-half inch on the top, the bottom, and each side.
7 Margins may be used for non-essential notations that will
8 not affect the validity of the document, including but not
9 limited to form numbers, page numbers, and customer
10 notations.

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

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

16 A document that does not conform to these standards shall not
17 be recorded except upon payment of the additional fee required
18 under this paragraph. This paragraph, as amended by this
19 amendatory Act of 1995, applies only to documents dated after
20 the effective date of this amendatory Act of 1995.

21 The county board of any county may provide for an
22 additional charge of \$3 for filing every instrument, paper, or
23 notice for record, (1) in order to defray the cost of
24 converting the county recorder's document storage system to
25 computers or micrographics and (2) in order to defray the cost
26 of providing access to records through the global information

1 system known as the Internet.

2 A special fund shall be set up by the treasurer of the
3 county and such funds collected pursuant to Public Act 83-1321
4 shall be used (1) for a document storage system to provide the
5 equipment, materials and necessary expenses incurred to help
6 defray the costs of implementing and maintaining such a
7 document records system and (2) for a system to provide
8 electronic access to those records.

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

1 created under Section 3-5005.4 to defray the cost of
2 implementing or maintaining the county's Geographic
3 Information System and to defray the cost of providing
4 electronic access to the county's Geographic Information
5 System records.

6 The recorder shall collect a \$10 Rental Housing Support
7 Program State surcharge for the recordation of any real
8 estate-related document. Payment of the Rental Housing Support
9 Program State surcharge shall be evidenced by a receipt that
10 shall be marked upon or otherwise affixed to the real
11 estate-related document by the recorder. The form of this
12 receipt shall be prescribed by the Department of Revenue and
13 the receipts shall be issued by the Department of Revenue to
14 each county recorder.

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

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

1 appropriations or funding for the office of the recorder.

2 On the 15th day of each month, each county recorder shall
3 report to the Department of Revenue, on a form prescribed by
4 the Department, the number of real estate-related documents
5 recorded for which the Rental Housing Support Program State
6 surcharge was collected. Each recorder shall submit \$9 of each
7 surcharge collected in the preceding month to the Department of
8 Revenue and the Department shall deposit these amounts in the
9 Rental Housing Support Program Fund. Subject to appropriation,
10 amounts in the Fund may be expended only for the purpose of
11 funding and administering the Rental Housing Support Program.

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

15 The foregoing fees allowed by this Section are the maximum
16 fees that may be collected from any officer, agency, department
17 or other instrumentality of the State. The county board may,
18 however, by ordinance, increase the fees allowed by this
19 Section and collect such increased fees from all persons and
20 entities other than officers, agencies, departments and other
21 instrumentalities of the State if the increase is justified by
22 an acceptable cost study showing that the fees allowed by this
23 Section are not sufficient to cover the cost of providing the
24 service. Regardless of any other provision in this Section, the
25 maximum fee that may be collected from the Department of
26 Revenue for filing or indexing a lien, certificate of lien

1 release or subordination, or any other type of notice or other
2 documentation affecting or concerning a lien is \$5. Regardless
3 of any other provision in this Section, the maximum fee that
4 may be collected from the Department of Revenue for indexing
5 each additional name in excess of one for any lien, certificate
6 of lien release or subordination, or any other type of notice
7 or other documentation affecting or concerning a lien is \$1.

8 A statement of the costs of providing each service, program
9 and activity shall be prepared by the county board. All
10 supporting documents shall be public record and subject to
11 public examination and audit. All direct and indirect costs, as
12 defined in the United States Office of Management and Budget
13 Circular A-87, may be included in the determination of the
14 costs of each service, program and activity.

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

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