



103RD GENERAL ASSEMBLY

State of Illinois

2023 and 2024

SB2227

Introduced 2/10/2023, by Sen. Linda Holmes

SYNOPSIS AS INTRODUCED:

See Index

Amends the Recorder Division of the Counties Code. Removes a requirement that a recorder be commissioned by the Governor. Provides that the chief deputy recorder (rather than the deputy recorder) shall be the recorder when the elected recorder is in active military service and that the chief deputy recorder shall receive the same compensation as the recorder during this time unless already receiving higher compensation than the recorder. Allows storage of certain information or documents in databases rather than only in books. Removes provisions repealing a Section concerning a mechanics lien demand and referral pilot program that would have otherwise repealed on January 1, 2024. Provides that the recorder may accept facsimile or other photographic or photostatic copies of the signatures of parties executing documents without labeling those signatures as copies if they are digital signatures offered in compliance with federal or State law. In provisions relating to documents received stating that a mortgage or lien is to be filed but not recorded, provides that the document will be marked filed only upon payment of a fee equal to what would be charged if the document were to be recorded. Provides that a recorder may waive the fee for additional copies of certificates of discharge or release from active duty if the recorder deems collecting the fee to be a burden to the county and the fee is waived for all requesting copies of these documents. Removes and repeals provisions relating to the time for opening and closing the recorder's office. Increases the fee for violations relating to recording a map, plat, or subdivision of land to \$1,000 (rather than \$200). Replaces pronouns with gender-neutral terms. Makes other changes. Effective immediately.

LRB103 28861 AWJ 55246 b

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
5 Sections 3-5001, 3-5002, 3-5003, 3-5004, 3-5005, 3-5005.1,
6 3-5005.2, 3-5005.3, 3-5005.4, 3-5006, 3-5007, 3-5008, 3-5009,
7 3-5010, 3-5010.5, 3-5010.8, 3-5011, 3-5012, 3-5013, 3-5014,
8 3-5015, 3-5016, 3-5018, 3-5018.1, 3-5019, 3-5020, 3-5020.5,
9 3-5021, 3-5024, 3-5025, 3-5029, 3-5031, 3-5033, 3-5036.5,
10 3-5037, 3-5038, and 3-5045 as follows:

11 (55 ILCS 5/3-5001) (from Ch. 34, par. 3-5001)

12 Sec. 3-5001. County clerk as recorder; election of
13 recorder. The county clerk in counties having a population of
14 less than 60,000 inhabitants shall be the recorder in the
15 clerk's ~~his~~ county.

16 In counties having a population of 60,000 or more
17 inhabitants, there shall be elected a recorder, as provided by
18 law, who shall hold ~~his~~ office until a ~~his~~ successor is
19 qualified.

20 If the population of any county in which a recorder has
21 been elected decreases to less than 60,000, the voters of that
22 county shall continue to elect a recorder if the county board
23 adopts a resolution to continue the office of an elected

1 recorder.

2 (Source: P.A. 86-962; 86-1028.)

3 (55 ILCS 5/3-5002) (from Ch. 34, par. 3-5002)

4 Sec. 3-5002. Bond. Every recorder, whether elected as such
5 or holding the office of recorder in addition to the office of
6 county clerk as hereinbefore provided, shall, before entering
7 upon the duties of the ~~his or her~~ office, give bonds (or, if
8 the county is self-insured, the county through its
9 self-insurance program may provide bonding), with sufficient
10 security to be approved by the circuit court, payable to the
11 People of the State of Illinois, in the penal sum of \$10,000
12 (except that in counties having a population of 60,000 or more
13 inhabitants the penalty of the bond shall be \$20,000),
14 conditioned for the faithful discharge of the recorder's ~~his~~
15 ~~or her~~ duties, and to deliver up all papers, books, records and
16 other things appertaining to the ~~his or her~~ office, whole,
17 safe and undefaced, when lawfully required so to do - which
18 bond shall be filed in the office of the Secretary of State,
19 and a copy thereof filed of record in the court.

20 (Source: P.A. 88-387.)

21 (55 ILCS 5/3-5003) (from Ch. 34, par. 3-5003)

22 Sec. 3-5003. Oath. Each recorder, before entering upon the
23 duties of the ~~his~~ office, shall take and subscribe to the oath
24 or affirmation prescribed by Section 3, Article XIII of the

1 Constitution, which shall be filed with the county clerk.

2 (Source: P.A. 86-962.)

3 (55 ILCS 5/3-5004) (from Ch. 34, par. 3-5004)

4 Sec. 3-5004. Commencement of duties. The recorder shall
5 enter upon the duties of the ~~his~~ office on the first day in the
6 month of December following the recorder's ~~his~~ election on
7 which the office of the recorder is required, by statute or by
8 action of the county board, to be open. ~~He shall be~~
9 ~~commissioned by the Governor.~~

10 (Source: P.A. 86-962.)

11 (55 ILCS 5/3-5005) (from Ch. 34, par. 3-5005)

12 Sec. 3-5005. Functions, powers and duties of recorder. The
13 functions and powers of the recorders shall be uniform in the
14 various counties of this State. The recorder has those
15 functions, powers, and duties as provided in this Division ~~the~~
16 ~~Sections following this Section and preceding Section 3-5006.~~

17 (Source: P.A. 86-962.)

18 (55 ILCS 5/3-5005.1) (from Ch. 34, par. 3-5005.1)

19 Sec. 3-5005.1. Appointment of deputies, assistants and
20 personnel. The recorder shall appoint ~~his~~ deputies,
21 assistants, and personnel to assist the recorder ~~him~~ in the
22 performance of the recorder's ~~his~~ duties.

23 (Source: P.A. 86-962.)

1 (55 ILCS 5/3-5005.2) (from Ch. 34, par. 3-5005.2)

2 Sec. 3-5005.2. Internal operations of office. The recorder
3 shall have the right to control the internal operations of the
4 ~~his~~ office; to procure necessary equipment, materials and
5 services to perform the duties of the ~~his~~ office. The recorder
6 ~~Recorder~~ shall have the right to select the computer or
7 micrographic system to be used for document storage and
8 retrieval. The recorder ~~Recorder~~ may retain the services of
9 management or consulting firms to establish or maintain such a
10 system.

11 (Source: P.A. 86-962.)

12 (55 ILCS 5/3-5005.3) (from Ch. 34, par. 3-5005.3)

13 Sec. 3-5005.3. Monthly report of financial status. The
14 recorder shall file a monthly report with the county clerk
15 summarizing the financial status of the ~~his~~ office in such
16 form as shall be determined by the county board.

17 (Source: P.A. 86-962.)

18 (55 ILCS 5/3-5005.4) (from Ch. 34, par. 3-5005.4)

19 Sec. 3-5005.4. Deposit of fee income; special funds. The
20 recorder shall deposit in the office of the county treasurer
21 monthly by the 10th day of the month following, all fee income.
22 The recorder may maintain the following special funds from
23 which the county board shall authorize payment by voucher

1 between board meetings:

2 (a) Overpayments.

3 (b) Reasonable amount needed during the succeeding
4 accounting period to pay office expenses, postage, freight,
5 express or similar charges.

6 (c) Excess earnings from the sale of revenue stamps to be
7 maintained in a fund to be used for the purchase of additional
8 stamps from the Illinois Department of Revenue.

9 (d) Fund to pay necessary travel, dues and other expenses
10 incurred in attending workshops, educational seminars and
11 organizational meetings established for the purpose of
12 providing in-service training.

13 (e) Trust funds and for such other purposes as may be
14 provided for by law.

15 (f) Such other funds as may be authorized by the county
16 board. The recorder shall make accounting monthly to the
17 county board through the county clerk of all special funds
18 maintained by the recorder ~~him~~ in the discharge of the
19 recorder's ~~his~~ duties.

20 (Source: P.A. 86-962.)

21 (55 ILCS 5/3-5006) (from Ch. 34, par. 3-5006)

22 Sec. 3-5006. Appointment of deputies in writing.
23 Appointments of deputies shall be in writing, and entered upon
24 the records of the ~~his~~ office.

25 (Source: P.A. 86-962.)

1 (55 ILCS 5/3-5007) (from Ch. 34, par. 3-5007)

2 Sec. 3-5007. Oath of deputies. Each deputy shall, before
3 entering upon the deputy's duties ~~of his office~~, take and
4 subscribe an oath or affirmation, in like form as is required
5 of the recorder, which shall be filed in the office of the
6 recorder.

7 (Source: P.A. 86-962.)

8 (55 ILCS 5/3-5008) (from Ch. 34, par. 3-5008)

9 Sec. 3-5008. Powers of deputies. Deputy recorders duly
10 appointed and qualified may perform any and all duties of the
11 recorder in the name of the recorder, and the acts of such
12 deputies shall be held to be the acts of the recorder, and in
13 case of the death of the recorder or the recorder's ~~his~~
14 deposition from office, the chief deputy shall thereupon
15 become the acting recorder until such vacancy shall be filled
16 according to the ~~The~~ Election Code, and the chief deputy ~~he~~
17 shall file a like bond and be vested with the same powers and
18 subject to the same responsibilities and entitled to the same
19 compensation as in case of recorder. Provided, that if the
20 recorder is called into the active military service of the
21 United States, the ~~his~~ office shall not be deemed to be vacant
22 during the time the recorder ~~he~~ is in the active military
23 service of the United States, but during the time the recorder
24 ~~he~~ is in such active military service of the United States the

1 chief deputy recorder shall be the recorder, and shall perform
2 and discharge all of the duties of the recorder in such county,
3 and shall be paid the same compensation as provided by law for
4 the recorder of the county unless compensated at a higher rate
5 than the recorder as chief deputy, apportioned as to the time
6 of service, and such deputy recorder shall cease to be the
7 recorder upon the discharge of said recorder from the active
8 military service of the United States; and provided further,
9 that the chief deputy recorder, upon becoming the temporary
10 recorder during the absence of the recorder in the active
11 military service of the United States, shall give bond as
12 required of a regularly elected recorder.

13 (Source: P.A. 86-962.)

14 (55 ILCS 5/3-5009) (from Ch. 34, par. 3-5009)

15 Sec. 3-5009. Recorder liable for deputies. The recorder
16 shall be liable for any neglect or omission of the duties of
17 the his office, when occasioned by a deputy, in the same manner
18 as for the recorder's his own personal neglect or omission.

19 (Source: P.A. 86-962.)

20 (55 ILCS 5/3-5010) (from Ch. 34, par. 3-5010)

21 Sec. 3-5010. Duties of recorder. Every recorder shall, as
22 soon as practicable after the receipt of any instrument in
23 writing in the his office, entitled to be recorded, record the
24 same at length in the order of time of its reception, in well

1 bound books or computer databases to be provided for that
2 purpose. In counties of 500,000 or more inhabitants, the
3 recorder may microphotograph or otherwise reproduce on film
4 any of such instruments in the manner provided by law. In
5 counties of less than 500,000 inhabitants, the recorder may
6 cause to be microphotographed or otherwise reproduced on film
7 any of such instruments or electronic method of storage. When
8 any such instrument is reproduced on film or electronic method
9 of storage, the film or electronic method of storage shall
10 comply with the minimum standards of quality approved for
11 records of the State Records Commission and the device used to
12 reproduce the records on the film or electronic method of
13 storage shall be one which accurately reproduces the contents
14 of the original.

15 (Source: P.A. 97-757, eff. 7-6-12.)

16 (55 ILCS 5/3-5010.5)

17 Sec. 3-5010.5. Fraud referral and review.

18 (a) Legislative findings. The General Assembly finds that
19 property fraud, including fraudulent filings intended to cloud
20 or fraudulently transfer title to property by recording false
21 or altered documents and deeds, is a rapidly growing problem
22 throughout the State. In order to combat the increase in the
23 number of these filings, a recorder may establish a process to
24 review and refer documents suspected to be fraudulent.

25 (b) Definitions. The terms "recording" and "filing" are

1 used interchangeably in this Section.

2 (c) Establishment and use of a fraud referral and review
3 process. A recorder who establishes a fraud referral and
4 review process under the provisions of this Section may use it
5 to review deeds and instruments and refer any of them to an
6 administrative law judge for review pursuant to subsection (g)
7 of this Section that cause the recorder to reasonably believe
8 that the filing may be fraudulent, unlawfully altered, or
9 intended to unlawfully cloud or transfer the title of any real
10 property. The recorder may enter into an intergovernmental
11 agreement with local law enforcement officials for the
12 purposes of this referral and review. A recorder may request
13 that the Secretary of the Department of Financial and
14 Professional Regulation assist in reviewing possible
15 fraudulent filings. Upon request, the Secretary, or the
16 Secretary's ~~his or her~~ designee, shall assist in identifying
17 the validity of filings. The recorder shall notify the
18 Secretary when a document suspected to be fraudulent is
19 discovered.

20 In counties with a population of less than 3 million, a
21 recorder shall provide public notice 90 days before the
22 establishment of the fraud referral and review process. The
23 notice shall include a statement of the recorder's intent to
24 create a fraud referral and review process and shall be
25 published in a newspaper of general circulation in the county
26 and, if feasible, posted on the recorder's website and at the

1 recorder's office or offices.

2 In determining whether to refer a document to an
3 administrative law judge for review, a recorder may take into
4 consideration any of the following factors:

5 (1) whether the owner of the property or owner's ~~his~~
6 ~~or her~~ designated representative has reported to the
7 recorder that another individual is attempting or has
8 attempted to record a fraudulent deed or other instrument
9 upon the property;

10 (2) whether a law enforcement official has contacted
11 the recorder indicating that the law enforcement official
12 ~~he or she~~ has probable cause to suspect title or recording
13 fraud;

14 (3) whether the filer's name has a copyright attached
15 to it or the property owner's name has nonstandard
16 punctuation attached to it;

17 (4) whether the documents assert fines that do not
18 exist or have no basis under current law or that require
19 payment in gold or silver;

20 (5) whether the documents are maritime liens, or liens
21 under the Federal Maritime Lien Act or the Preferred Ship
22 Mortgage Act, or not authorized by the United States Coast
23 Guard;

24 (6) whether the documents are land patents not
25 authorized and certified by the United States Department
26 of the Interior Bureau of Land Management;

1 (7) whether the documents are representing that the
2 subject of the lien is releasing itself from a lien held by
3 another entity, with no apparent cooperation or
4 authorization provided by the lienholder;

5 (8) whether the documents are protesting or disputing
6 a foreclosure proceeding that are not filed within the
7 foreclosure suit and with the court presiding over the
8 matter;

9 (9) whether the documents are Uniform Commercial Code
10 filings referencing birth certificates or other private
11 records that are not in compliance with Section 9-501 of
12 the Uniform Commercial Code;

13 (10) whether the documents are re-recording deeds to
14 re-notarize or attach notary certification if prior
15 notarization already appears unaltered on the document of
16 record;

17 (11) whether the documents are asserting diplomatic
18 credentials or immunity, non-United States citizenship, or
19 independence from the laws of the United States;

20 (12) whether the documents are claims that a bank
21 cannot hold title after a foreclosure;

22 (13) whether the documents are deeds not properly
23 signed by the last legal owner of record or the owner's
24 court-appointed ~~his or her court-appointed~~ representative
25 or attorney-in-fact under a power of attorney;

26 (14) whether the documents are manipulated or altered

1 federal or State legal or court forms that release a lien;

2 (15) whether a document is not related to a valid
3 existing or potential adverse transaction, existing lien,
4 or judgment of a court of competent jurisdiction;

5 (16) a document that is not related to a valid
6 existing or potential commercial or financial transaction,
7 existing agricultural or other lien, or judgment of a
8 court of competent jurisdiction;

9 (17) whether the document is filed with the intent to
10 harass or defraud the person identified in the record or
11 any other person;

12 (18) whether the document is filed with the intent to
13 harass or defraud any member of a governmental office,
14 including, but not limited to, the recorder's office,
15 local government offices, the State of Illinois, or the
16 Federal government; and

17 (19) whether the documents are previous court
18 determinations, including a previous determination by a
19 court of competent jurisdiction that a particular document
20 is fraudulent, invalid, or forged.

21 (d) Determinations. If a recorder determines, after review
22 by legal staff and counsel, that a deed or instrument that is
23 recorded in the grantor's index or the grantee's index may be
24 fraudulent, unlawfully altered, or intended to unlawfully
25 cloud or transfer the title of any real property, the recorder
26 ~~he or she~~ shall refer the deed or instrument to an

1 administrative law judge for review pursuant to subsection (g)
2 of this Section. The recorder shall record a Notice of
3 Referral in the grantor's index or the grantee's index
4 identifying the document, corresponding document number in
5 question, and the date of referral. The recorder shall also
6 notify the parties set forth in subsection (e) of this
7 Section. The recorder may, at the recorder's ~~his or her~~
8 discretion, notify law enforcement officials regarding a
9 filing determined to be fraudulent, unlawfully altered, or
10 intended to unlawfully cloud or transfer the title of any real
11 property.

12 (e) Notice. The recorder shall use county property tax
13 records to identify and provide notice to the last owner of
14 record by telephone, if available, and certified mail both
15 when: (1) a deed or instrument has been referred for review and
16 determination; and (2) a final determination has been made
17 regarding the deed or instrument. Notice, by mail, shall also
18 be sent to the physical address of the property associated
19 with the deed or instrument.

20 (f) Administrative decision. The recorder's decision to
21 add a Notice of Referral and refer a document for review is a
22 final administrative decision that is subject to review by the
23 circuit court of the county where the real property is located
24 under the Administrative Review Law. The standard of review by
25 the circuit court shall be de novo.

26 (g) Referral and review process. Prior to referral, the

1 recorder shall notify the last owner of record of the document
2 or documents suspected to be fraudulent. The person, entity,
3 or legal representative thereof shall confirm in writing the
4 person's, entity's, or legal representative's ~~his or her~~
5 belief that a document or documents are suspected to be
6 fraudulent and may request that the recorder refer the case
7 for review. Upon request, the recorder shall bring a case to
8 its county department of administrative hearings and, within
9 10 business days after receipt, an administrative law judge
10 shall schedule a hearing to occur no later than 30 days after
11 receiving the referral. The referral and case shall clearly
12 identify the person, persons, or entity believed to be the
13 last true owner of record as the petitioner. Notice of the
14 hearing shall be provided by the administrative law judge to
15 the filer, or the party represented by the filer, of the
16 suspected fraudulent document, the legal representative of the
17 recorder of deeds who referred the case, and the last owner of
18 record, as identified in the referral.

19 If clear and convincing evidence shows the document in
20 question to be fraudulent, the administrative law judge shall
21 rule the document to be fraudulent and forward the judgment to
22 all the parties identified in this subsection. Upon receiving
23 notice of the judgment of fraud, the recorder shall, within 5
24 business days, record a new document that includes a copy of
25 the judgment in front of the Notice of Referral that shall
26 clearly state that the document in question has been found to

1 be fraudulent and shall not be considered to affect the chain
2 of title of the property in any way.

3 If the administrative law judge finds the document to be
4 legitimate, the recorder shall, within 5 business days after
5 receiving notice, record a copy of the judgment.

6 A decision by an administrative law judge shall not
7 preclude a State's attorney or sheriff from proceeding with a
8 criminal investigation or criminal charges. If a county does
9 not have an administrative law judge that specializes in
10 public records, one shall be appointed within 3 months after
11 the effective date of this amendatory Act of the 98th General
12 Assembly, or the original case shall be forwarded to the
13 proper circuit court with jurisdiction.

14 Nothing in this Section precludes a private right of
15 action by any party with an interest in the property affected
16 by the review and referral, or the filer of the document or
17 documents suspected to be fraudulent. Nothing in this Section
18 requires a person or entity who may have had a fraudulent
19 document or encumbrance filed against the person's or entity's
20 ~~his or her~~ property to use the fraud review and referral
21 process or administrative review created by this Section.

22 (h) Fees. The recorder shall retain any filing fees
23 associated with filing a deed or instrument that is determined
24 to be fraudulent, unlawfully altered, or intended to
25 unlawfully cloud or transfer the title of any real property
26 under this Section.

1 (i) Liability. Neither a recorder nor any of the
2 recorder's ~~his or her~~ employees or agents shall be subject to
3 personal liability by reason of any error or omission in the
4 performance of any duty under this Section, except in case of
5 willful or wanton conduct. Neither the recorder nor any of the
6 recorder's ~~his or her~~ employees shall incur liability for the
7 referral or review, or failure to refer or review, a document
8 or instrument under this Section.

9 (j) Applicability. This Section applies only to filings
10 provided to the recorder on and after the effective date of
11 this amendatory Act of the 98th General Assembly.

12 (k) (Blank).

13 (Source: P.A. 100-276, eff. 8-22-17.)

14 (55 ILCS 5/3-5010.8)

15 (Section scheduled to be repealed on January 1, 2024)

16 Sec. 3-5010.8. Mechanics lien demand and referral pilot
17 program.

18 (a) Legislative findings. The General Assembly finds that
19 expired mechanics liens on residential property, which cloud
20 title to property, are a rapidly growing problem throughout
21 the State. In order to address the increase in expired
22 mechanics liens and, more specifically, those that have not
23 been released by the lienholder, a recorder may establish a
24 process to demand and refer mechanics liens that have been
25 recorded but not litigated or released in accordance with the

1 Mechanics Lien Act to an administrative law judge for
2 resolution or demand that the lienholder commence suit or
3 forfeit the lien.

4 (b) Definitions. As used in this Section:

5 "Demand to Commence Suit" means the written demand
6 specified in Section 34 of the Mechanics Lien Act.

7 "Mechanics lien" and "lien" are used interchangeably in
8 this Section.

9 "Notice of Expired Mechanics Lien" means the notice a
10 recorder gives to a property owner under subsection (d)
11 informing the property owner of an expired lien.

12 "Notice of Referral" means the document referring a
13 mechanics lien to a county's code hearing unit.

14 "Recording" and "filing" are used interchangeably in this
15 Section.

16 "Referral" or "refer" means a recorder's referral of a
17 mechanics lien to a county's code hearing unit to obtain a
18 determination as to whether a recorded mechanics lien is
19 valid.

20 "Residential property" means real property improved with
21 not less than one nor more than 4 residential dwelling units; a
22 residential condominium unit, including, but not limited to,
23 the common elements allocated to the exclusive use of the
24 condominium unit that form an integral part of the condominium
25 unit and any parking unit or units specified by the
26 declaration to be allocated to a specific residential

1 condominium unit; or a single tract of agriculture real estate
2 consisting of 40 acres or less that is improved with a
3 single-family residence. If a declaration of condominium
4 ownership provides for individually owned and transferable
5 parking units, "residential property" does not include the
6 parking unit of a specified residential condominium unit
7 unless the parking unit is included in the legal description
8 of the property against which the mechanics lien is recorded.

9 (c) Establishment of a mechanics lien demand and referral
10 process. After a public hearing, a recorder in a county with a
11 code hearing unit may adopt rules establishing a mechanics
12 lien demand and referral process for residential property. A
13 recorder shall provide public notice 90 days before the public
14 hearing. The notice shall include a statement of the
15 recorder's intent to create a mechanics lien demand and
16 referral process and shall be published in a newspaper of
17 general circulation in the county and, if feasible, be posted
18 on the recorder's website and at the recorder's office or
19 offices.

20 (d) Notice of Expired Lien. If a recorder determines,
21 after review by legal staff or counsel, that a mechanics lien
22 recorded in the grantor's index or the grantee's index is an
23 expired lien, the recorder shall serve a Notice of Expired
24 Lien by certified mail to the last known address of the owner.
25 The owner or legal representative of the owner of the
26 residential property shall confirm in writing the owner's or

1 legal representative's ~~his or her~~ belief that the lien is not
2 involved in pending litigation and, if there is no pending
3 litigation, as verified and confirmed by county court records,
4 the owner may request that the recorder proceed with a
5 referral or serve a Demand to Commence Suit.

6 For the purposes of this Section, a recorder shall
7 determine if a lien is an expired lien. A lien is expired if a
8 suit to enforce the lien has not been commenced or a
9 counterclaim has not been filed by the lienholder within 2
10 years after the completion date of the contract as specified
11 in the recorded mechanics lien. The 2-year period shall be
12 increased to the extent that an automatic stay under Section
13 362(a) of the United States Bankruptcy Code stays a suit or
14 counterclaim to foreclose the lien. If a work completion date
15 is not specified in the recorded lien, then the work
16 completion date is the date of recording of the mechanics
17 lien.

18 (e) Demand to Commence Suit. Upon receipt of an owner's
19 confirmation that the lien is not involved in pending
20 litigation and a request for the recorder to serve a Demand to
21 Commence Suit, the recorder shall serve a Demand to Commence
22 Suit on the lienholder of the expired lien as provided in
23 Section 34 of the Mechanics Lien Act. A recorder may request
24 that the Secretary of State assist in providing registered
25 agent information or obtain information from the Secretary of
26 State's registered business database when the recorder seeks

1 to serve a Demand to Commence suit on the lienholder. Upon
2 request, the Secretary of State, or the Secretary of State's
3 ~~his or her~~ designee, shall provide the last known address or
4 registered agent information for a lienholder who is
5 incorporated or doing business in the State. The recorder must
6 record a copy of the Demand to Commence suit in the grantor's
7 index or the grantee's index identifying the mechanics lien
8 and include the corresponding document number and the date of
9 demand. The recorder may, at the recorder's ~~his or her~~
10 discretion, notify the Secretary of State regarding a Demand
11 to Commence suit determined to involve a company, corporation,
12 or business registered with that office.

13 When the lienholder commences a suit or files an answer
14 within 30 days or the lienholder records a release of lien with
15 the county recorder as required by subsection (a) of Section
16 34 of the Mechanics Lien Act, then the demand and referral
17 process is completed for the recorder for that property. If
18 service under this Section is responded to consistent with
19 Section 34 of the Mechanics Lien Act, the recorder may not
20 proceed under subsection (f). If no response is received
21 consistent with Section 34 of the Mechanics Lien Act, the
22 recorder may proceed under subsection (f).

23 (f) Referral. Upon receipt of an owner's confirmation that
24 the lien is not involved in pending litigation and a request
25 for the recorder to proceed with a referral, the recorder
26 shall: (i) file the Notice of Referral with the county's code

1 hearing unit; (ii) identify and notify the lienholder by
2 telephone, if available, of the referral and send a copy of the
3 Notice of Referral by certified mail to the lienholder using
4 information included in the recorded mechanics lien or the
5 last known address or registered agent received from the
6 Secretary of State or obtained from the Secretary of State's
7 registered business database; (iii) send a copy of the Notice
8 of Referral by mail to the physical address of the property
9 owner associated with the lien; and (iv) record a copy of the
10 Notice of Referral in the grantor's index or the grantee's
11 index identifying the mechanics lien and include the
12 corresponding document number. The Notice of Referral shall
13 clearly identify the person, persons, or entity believed to be
14 the owner, assignee, successor, or beneficiary of the lien.
15 The recorder may, at the recorder's ~~his or her~~ discretion,
16 notify the Secretary of State regarding a referral determined
17 to involve a company, corporation, or business registered with
18 that office.

19 No earlier than 30 business days after the date the
20 lienholder is required to respond to a Demand to Commence Suit
21 under Section 34 of the Mechanics Lien Act, the code hearing
22 unit shall schedule a hearing to occur at least 30 days after
23 sending notice of the date of hearing. Notice of the hearing
24 shall be provided by the county recorder, by and through the
25 recorder's ~~his or her~~ representative, to the filer, or the
26 party represented by the filer, of the expired lien, the legal

1 representative of the recorder of deeds who referred the case,
2 and the last owner of record, as identified in the Notice of
3 Referral.

4 If the recorder shows by clear and convincing evidence
5 that the lien in question is an expired lien, the
6 administrative law judge shall rule the lien is forfeited
7 under Section 34.5 of the Mechanics Lien Act and that the lien
8 no longer affects the chain of title of the property in any
9 way. The judgment shall be forwarded to all parties identified
10 in this subsection. Upon receiving judgment of a forfeited
11 lien, the recorder shall, within 5 business days, record a
12 copy of the judgment in the grantor's index or the grantee's
13 index.

14 If the administrative law judge finds the lien is not
15 expired, the recorder shall, no later than 5 business days
16 after receiving notice of the decision of the administrative
17 law judge, record a copy of the judgment in the grantor's index
18 or the grantee's index.

19 A decision by an administrative law judge is reviewable
20 under the Administrative Review Law, and nothing in this
21 Section precludes a property owner or lienholder from
22 proceeding with a civil action to resolve questions concerning
23 a mechanics lien.

24 A lienholder or property owner may remove the action from
25 the code hearing unit to the circuit court as provided in
26 subsection (i).

1 (g) Final administrative decision. The recorder's decision
2 to refer a mechanics lien or serve a Demand to Commence Suit is
3 a final administrative decision that is subject to review
4 under the Administrative Review Law by the circuit court of
5 the county where the real property is located. The standard of
6 review by the circuit court shall be consistent with the
7 Administrative Review Law.

8 (h) Liability. A recorder and the recorder's ~~his or her~~
9 employees or agents are not subject to personal liability by
10 reason of any error or omission in the performance of any duty
11 under this Section, except in the case of willful or wanton
12 conduct. The recorder and the recorder's ~~his or her~~ employees
13 or agents are not liable for the decision to refer a lien or
14 serve a Demand to Commence Suit, or failure to refer or serve a
15 Demand to Commence Suit, of a lien under this Section.

16 (i) Private actions; use of demand and referral process.
17 Nothing in this Section precludes a private right of action by
18 any party with an interest in the property affected by the
19 mechanics lien or a decision by the code hearing unit. Nothing
20 in this Section requires a person or entity who may have a
21 mechanics lien recorded against the person's or entity's ~~his~~
22 ~~or her~~ property to use the mechanics lien demand and referral
23 process created by this Section.

24 A lienholder or property owner may remove a matter in the
25 referral process to the circuit court at any time prior to the
26 final decision of the administrative law judge by delivering a

1 certified notice of the suit filed in the circuit court to the
2 administrative law judge. Upon receipt of the certified
3 notice, the administrative law judge shall dismiss the matter
4 without prejudice. If the matter is dismissed due to removal,
5 then the demand and referral process is completed for the
6 recorder for that property. If the circuit court dismisses the
7 removed matter without deciding on whether the lien is expired
8 and without prejudice, the recorder may reinstitute the demand
9 and referral process under subsection (d).

10 (j) (Blank). ~~Repeal. This Section is repealed on January~~
11 ~~1, 2024.~~

12 (Source: P.A. 101-296, eff. 8-9-19; 102-671, eff. 11-30-21.)

13 (55 ILCS 5/3-5011) (from Ch. 34, par. 3-5011)

14 Sec. 3-5011. Office to remain open during bank holiday.
15 Whenever an emergency exists which involves the banking or
16 credit structure within the State of Illinois, and which is
17 recognized by a proclamation by the Governor or by an act or
18 resolution of the General Assembly, and by such proclamation
19 of the Governor a public holiday has been or shall be declared,
20 the proclamation of such public holiday shall not require the
21 recorder or registrar of titles in any county in this State to
22 close the recorder's or registrar's ~~his~~ office, but every such
23 recorder or registrar of titles shall continue to keep the
24 recorder's or registrar's ~~his~~ office open and to operate in
25 the same manner as though no such public holiday had been

1 declared, unless in and by such proclamation the Governor of
2 this State shall make specific reference to the closing of
3 recorders' or registrars' offices in this State. The actions
4 of any recorder or registrar of titles performed prior to May
5 26, 1933 and during the continuance of any such holiday, are
6 validated.

7 (Source: P.A. 86-962.)

8 (55 ILCS 5/3-5012) (from Ch. 34, par. 3-5012)

9 Sec. 3-5012. Recording and indexing books. Separate books
10 and computer databases may be kept for the recording and
11 indexing of different classes of instruments. Three distinct
12 series of document numbers may be used for recording documents
13 received for recordation, one series of numbers to be preceded
14 by the letter "b" in each case, which series shall be used only
15 for bills of sale of personal property, chattel mortgages and
16 releases, extensions and assignments, thereof, one series of
17 numbers to be preceded by the letter "c" in each case, which
18 series shall be used only for certificates of discharge of
19 discharged members of the military, aviation and naval forces
20 of the United States, and the other series of document numbers
21 shall be used for all other instruments received for
22 recordation. When three series of document numbers are thus
23 used, a separate place may be provided in the Recorder's
24 office for the receipt of each kind of documents to which such
25 serial numbers apply.

1 (Source: P.A. 86-962.)

2 (55 ILCS 5/3-5013) (from Ch. 34, par. 3-5013)

3 Sec. 3-5013. Transcription or reproduction of written
4 instruments. The recorder, when recording at length
5 instruments in writing in the ~~his or her~~ office, may
6 transcribe the instruments in handwriting or typewriting, make
7 photographic or photostatic reproductions of the instruments,
8 or transcribe the instruments partly in handwriting or
9 typewriting and make photographic or photostatic reproductions
10 of the remaining portions of the instruments. Every document,
11 however, shall be filed in a complete and intelligible manner.
12 The recorder may not accept facsimile or other photographic or
13 photostatic copies of the signatures of parties executing
14 documents without labeling those signatures as copies unless
15 they are digital signatures offered in compliance with federal
16 or State law. When photographic or photostatic reproductions
17 are used, the recorder shall first be satisfied that the
18 reproductions are as lasting and durable as handwritten or
19 typewritten copies. The reproductions may ~~shall~~ be upon sheets
20 bound together in well bound books or placed in books that are
21 permanently locked so that the sheets cannot be tampered with
22 or removed. When instruments are reproduced by
23 microphotography, digital scanning, or ~~otherwise~~ reproduced on
24 film as provided in this Section the reproduction thus made
25 shall be deemed the record for all purposes.

1 (Source: P.A. 86-962; 87-376.)

2 (55 ILCS 5/3-5014) (from Ch. 34, par. 3-5014)

3 Sec. 3-5014. Mortgages or liens filed but not recorded.
4 Upon receipt of any mortgage, trust deed or conveyance of
5 personal property having the effect of a mortgage or lien upon
6 such property, upon which is indorsed the words, "this
7 instrument to be filed, but not recorded" or words of a similar
8 import, signed by the mortgagee, the mortgagee's ~~his~~ agent or
9 attorney, and upon payment of a fee equal to what would be
10 charged if the document were to be recorded, the recorder
11 shall mark the instrument "filed", endorse the time (including
12 the hour of the day) of the receipt thereof and file the same
13 in the ~~his~~ office.

14 Each instrument filed as above shall be numbered and
15 indexed by the recorder ~~Recorder~~ in the book wherein the
16 recorder ~~he~~ alphabetically indexes chattel mortgages and shall
17 refer to the number appearing on the filed instrument.

18 The recorder may destroy any instrument filed but not
19 recorded in the manner hereinabove provided, one year after
20 the maturity thereof as stated therein; except, no such
21 instrument may be destroyed until one year after the maturity
22 of the last extension thereof filed in the recorder's office.

23 (Source: P.A. 86-962.)

24 (55 ILCS 5/3-5015) (from Ch. 34, par. 3-5015)

1 Sec. 3-5015. Certificates of discharge or release from
2 active duty. Certificates of discharge or MEMBER-4 copy of
3 certificate of release or discharge from active duty of
4 honorably discharged or separated members of the military,
5 aviation and naval forces of the United States shall be
6 recorded by each recorder, free of charge, in a separate book
7 or computer database which shall be kept for the purpose. The
8 recorder in counties of over 500,000 population shall as soon
9 as practicable after the recording of the original discharge
10 certificate or MEMBER-4 copy of certificate of release or
11 discharge from active duty, deliver to each of the persons
12 named in the discharge certificate or MEMBER-4 copy of
13 certificate of release or discharge from active duty, or the
14 person's ~~his~~ agent, one certified copy of the person's ~~his~~
15 discharge certificate or MEMBER-4 copy of certificate of
16 release or discharge from active duty without charge.
17 Additional certified copies shall be furnished by the recorder
18 upon the payment to the recorder of a fee of \$1.25, payable in
19 advance, for each such additional certified copy. The recorder
20 may waive the fee for additional copies if the recorder deems
21 collecting the fee to be a burden to the county, but only if
22 the fee is waived for all requesting copies under this
23 Section.

24 Upon the delivery of the certificate of discharge or
25 MEMBER-4 copy of certificate of release or discharge from
26 active duty after the recordation thereof is completed, and

1 the delivery of one certified copy thereof to the person named
2 in the discharge certificate or MEMBER-4 copy of certificate
3 of release or discharge from active duty or the person's ~~his~~
4 agent, the receipt theretofore issued by the recorder, or a
5 copy thereof shall be surrendered to the recorder, with a
6 signed statement acknowledging the receipt of the discharge
7 certificate or MEMBER-4 copy of certificate of release or
8 discharge from active duty and the certified copy thereof.

9 Certified copies of the certificates of discharge or
10 MEMBER-4 copy of certificate of release or discharge from
11 active duty furnished by the recorder may vary from the size of
12 the original, if in the judgment of the recorder, such
13 certified copies are complete and legible.

14 A military discharge form (DD-214) or any other
15 certificate of discharge or release from active duty document
16 that was issued by the United States government or any state
17 government in reference to those who served with an active or
18 inactive military reserve unit or National Guard force and
19 that was recorded by a County Clerk or Recorder of Deeds is not
20 subject to public inspection, enjoying all the protection
21 covered by the federal Privacy Act of 1974 or any other privacy
22 law. These documents shall be accessible only to the person
23 named in the document, the named person's dependents, the
24 county veterans' service officer, representatives of the
25 Department of Veterans' Affairs, or any person with written
26 authorization from the named person or the named person's

1 dependents. Notwithstanding any other provision in this
2 paragraph, these documents shall be made available for public
3 inspection and copying in accordance with the archival
4 schedule adopted by the National Archives and Records
5 Administration and subject to redaction of information that is
6 considered private under the Illinois Freedom of Information
7 Act, the federal Freedom of Information Act, and the federal
8 Privacy Act.

9 (Source: P.A. 101-402, eff. 8-16-19.)

10 (55 ILCS 5/3-5016) (from Ch. 34, par. 3-5016)

11 Sec. 3-5016. Quarters; office hours. Every recorder
12 ~~Recorder~~ shall keep the recorder's ~~his~~ office at the
13 courthouse of the county for which the recorder was elected ~~he~~
14 ~~is~~ recorder, or in counties of the second or third class in
15 some other suitable building provided at the county seat by
16 the county for which the person was elected ~~he is recorder~~ and
17 shall keep the ~~his~~ office open except as hereinafter provided
18 and attend to the duties thereof in counties of the first and
19 second classes from 8 o'clock A.M. to 5 o'clock P.M. of each
20 working day, except Saturday and Sunday, and in counties of
21 the third class from 9 o'clock A.M. to 5 o'clock P.M. of each
22 working day, except Saturday and Sunday. ~~The, and except in~~
23 ~~each county of all classes such days as under any law are or~~
24 ~~may be legal holidays in any part of the county, as regards the~~
25 ~~presenting for payment, acceptance, maturity, protesting, or~~

1 ~~giving notice of the dishonor of bills of exchange, bank~~
2 ~~checks, promissory notes, or other negotiable or commercial~~
3 ~~paper or instruments: Provided, however, that the hours of~~
4 opening and closing of the office of the recorder ~~Recorder~~ may
5 be changed and otherwise fixed and determined by the county
6 board of any county. Any such action taken by the county board
7 shall be by an appropriate resolution passed at a regular
8 meeting. The office of the recorder shall accept instruments
9 for recordation at all times during which the office is open.

10 (Source: P.A. 86-962.)

11 (55 ILCS 5/3-5018) (from Ch. 34, par. 3-5018)

12 Sec. 3-5018. Traditional fee schedule. Except as provided
13 for in Sections 3-5018.1, 4-12002, and 4-12002.1, the recorder
14 elected as provided for in this Division shall receive such
15 fees as are or may be provided for ~~him or her~~ by law, in case
16 of provision therefor: otherwise the recorder ~~he or she~~ shall
17 receive the same fees as are or may be provided in this
18 Section, except when increased by county ordinance or
19 resolution pursuant to the provisions of this Section, to be
20 paid to the county clerk for the county clerk's ~~his or her~~
21 services in the office of recorder for like services.

22 For recording deeds or other instruments, \$12 for the
23 first 4 pages thereof, plus \$1 for each additional page
24 thereof, plus \$1 for each additional document number therein
25 noted. The aggregate minimum fee for recording any one

1 instrument shall not be less than \$12.

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

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

14 For recording any document that affects an interest in
15 real property other than documents which solely affect or
16 relate to an easement for water, sewer, electricity, gas,
17 telephone or other public service, the recorder shall charge a
18 fee of \$1 per document to all filers of documents not filed by
19 any State agency, any unit of local government, or any school
20 district. Fifty cents of the \$1 fee hereby established shall
21 be deposited into the County General Revenue Fund. The
22 remaining \$0.50 shall be deposited into the Recorder's
23 Automation Fund and may not be appropriated or expended for
24 any other purpose. The additional amounts available to the
25 recorder for expenditure from the Recorder's Automation Fund
26 shall not offset or reduce any other county appropriations or

1 funding for the office of the recorder.

2 For recording maps or plats of additions or subdivisions
3 approved by the county or municipality (including the
4 spreading of the same of record in map case or other proper
5 books) or plats of condominiums, \$50 for the first page, plus
6 \$1 for each additional page thereof except that in the case of
7 recording a single page, legal size 8 1/2 x 14, plat of survey
8 in which there are no more than two lots or parcels of land,
9 the fee shall be \$12. In each county where such maps or plats
10 are to be recorded, the recorder may require the same to be
11 accompanied by such number of exact, true and legible copies
12 thereof as the recorder deems necessary for the efficient
13 conduct and operation of the ~~his or her~~ office.

14 For non-certified copies of records, an amount not to
15 exceed one-half of the amount provided in this Section for
16 certified copies, according to a standard scale of fees,
17 established by county ordinance or resolution and made public.
18 The provisions of this paragraph shall not be applicable to
19 any person or entity who obtains non-certified copies of
20 records in the following manner: (i) in bulk for all documents
21 recorded on any given day in an electronic or paper format for
22 a negotiated amount less than the amount provided for in this
23 paragraph for non-certified copies, (ii) under a contractual
24 relationship with the recorder for a negotiated amount less
25 than the amount provided for in this paragraph for
26 non-certified copies, or (iii) by means of Internet access

1 pursuant to Section 5-1106.1.

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

6 Each certificate of such recorder of the recording of the
7 deed or other writing and of the date of recording the same
8 signed by such recorder, shall be sufficient evidence of the
9 recording thereof, and such certificate including the indexing
10 of record, shall be furnished upon the payment of the fee for
11 recording the instrument, and no additional fee shall be
12 allowed for the certificate or indexing. A physical or
13 electronic image of the recorder's stamp satisfies the
14 signature requirement for recorded instruments prior to, on,
15 and after the effective date of this amendatory Act of the
16 102nd General Assembly.

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

22 (1) The document shall consist of one or more
23 individual sheets measuring 8.5 inches by 11 inches, not
24 permanently bound and not a continuous form. Graphic
25 displays accompanying a document to be recorded that
26 measure up to 11 inches by 17 inches shall be recorded

1 without charging an additional fee.

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

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

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

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

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

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

1 of providing access to records through the global information
2 system known as the Internet.

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

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

1 funds created under Section 3-5005.4. The recorder may, in the
2 recorder's ~~his or her~~ discretion, use moneys in the funds
3 created under Section 3-5005.4 to defray the cost of
4 implementing or maintaining the county's Geographic
5 Information System and to defray the cost of providing
6 electronic access to the county's Geographic Information
7 System records.

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

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

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

1 the Rental Housing Support Program Fund. Subject to
2 appropriation, amounts in the Fund may be expended only for
3 the purpose of funding and administering the Rental Housing
4 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,
10 department or other instrumentality of the State. The county
11 board may, however, by ordinance or resolution, increase the
12 fees allowed by this Section and collect such increased fees
13 from all persons and entities other than officers, agencies,
14 departments and other instrumentalities of the State if the
15 increase is justified by an acceptable cost study showing that
16 the fees allowed by this Section are not sufficient to cover
17 the cost of providing the service. Regardless of any other
18 provision in this Section, the maximum fee that may be
19 collected from the Department of Revenue for filing or
20 indexing a lien, certificate of lien release or subordination,
21 or any other type of notice or other documentation affecting
22 or concerning a lien is \$5. Regardless of any other provision
23 in this Section, the maximum fee that may be collected from the
24 Department of Revenue for indexing each additional name in
25 excess of one for any lien, certificate of lien release or
26 subordination, or any other type of notice or other

1 documentation affecting or concerning a lien is \$1.

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

9 (Source: P.A. 102-838, eff. 5-13-22.)

10 (55 ILCS 5/3-5018.1)

11 Sec. 3-5018.1. Predictable fee schedule.

12 (a) As used in this Section:

13 "Nonstandard document" means:

14 (1) a document that creates a division of a then
15 active existing tax parcel identification number;

16 (2) a document recorded pursuant to the Uniform
17 Commercial Code;

18 (3) a document which is non-conforming, as described
19 in paragraphs (1) through (5) of Section 3-5018;

20 (4) a State lien or a federal lien;

21 (5) a document making specific reference to more than
22 5 tax parcel identification numbers in the county in which
23 it is presented for recording; or

24 (6) a document making specific reference to more than
25 5 other document numbers recorded in the county in which

1 it is presented for recording.

2 "Standard document" means any document other than a
3 nonstandard document.

4 (b) On or before January 1, 2019, a county shall adopt and
5 implement, by ordinance or resolution, a predictable fee
6 schedule that eliminates surcharges or fees based on the
7 individual attributes of a standard document to be recorded.
8 The initial predictable fee schedule approved by a county
9 board shall be set only as allowed under subsections (c) and
10 (d) and any subsequent predictable fee schedule approved by a
11 county board shall be set only as allowed under subsection
12 (e). Except as to the recording of standard documents, the
13 fees imposed by Section 3-5018 shall remain in effect. Under a
14 predictable fee schedule, no charge shall be based on: page
15 count; number, length, or type of legal descriptions; number
16 of tax identification or other parcel identifying code
17 numbers; number of common addresses; number of references
18 contained as to other recorded documents or document numbers;
19 or any other individual attribute of the document except as
20 expressly provided in this Section. The fee charged under this
21 Section shall be inclusive of all county and State fees that
22 the county may elect or is required to impose or adjust,
23 including, but not limited to, GIS fees, automation fees,
24 document storage fees, and the Rental Housing Support Program
25 State surcharge.

26 A predictable fee schedule ordinance or resolution adopted

1 under this Section shall list standard document fees,
2 including document class flat fees as required by subsection
3 (c), and non-standard document fees.

4 Before approval of an ordinance or resolution under this
5 Section, the recorder or county clerk shall post a notice in
6 the recorder's or county clerk's ~~their~~ office at least 2 weeks
7 prior, but not more than 4 weeks prior, to the public meeting
8 at which the ordinance or resolution may be adopted. The
9 notice shall contain the proposed ordinance or resolution
10 number, if any, the proposed document class flat fees for each
11 classification, and a reference to this Section or this
12 amendatory Act of the 100th General Assembly.

13 A predictable fee schedule takes effect 60 days after an
14 ordinance or resolution is adopted.

15 (c) Pursuant to an ordinance or resolution adopted under
16 subsection (b), the recorder elected as provided for in this
17 Division shall receive such fees as are or may be provided for
18 ~~him or her~~ by law, in case of provision thereof: otherwise the
19 recorder ~~he or she~~ shall receive the same fees as are or may be
20 provided in this Section except when increased by county
21 ordinance or resolution pursuant to the provisions of this
22 Section, to be paid to the county clerk for the county clerk's
23 ~~his or her~~ services in the office of recorder for like
24 services. For the purposes of the fee charged, the ordinance
25 or resolution shall divide standard documents into the
26 following classifications and shall establish a single, all

1 inclusive, county and State-imposed aggregate fee charged for
2 each such classification of document at the time of recording
3 for that document, which is called the document class flat
4 fee. A standard document is not subject to more than one
5 classification at the time of recording for the purposes of
6 imposing any fee. Each standard document shall fall within one
7 of the following document class flat fee classifications and
8 fees for each document class shall be charged only as allowed
9 by this subsection (c) and subsection (d):

10 (1) Deeds. The aggregate fee for recording deeds shall
11 not be less than \$21 (being a minimum \$12 county fee plus
12 \$9 for the Rental Housing Support Program State
13 surcharge). Inclusion of language in the deed as to any
14 restriction; covenant; lien; oil, gas, or other mineral
15 interest; easement; lease; or a mortgage shall not alter
16 the classification of a document as a deed.

17 (2) Leases, lease amendments, and similar transfer of
18 interest documents. The aggregate fee for recording
19 leases, lease amendments, and similar transfers of
20 interest documents shall not be less than \$21 (being a
21 minimum \$12 county fee plus \$9 for the Rental Housing
22 Support Program State surcharge).

23 (3) Mortgages. The aggregate fee for recording
24 mortgages, including assignments, extensions, amendments,
25 subordinations, and mortgage releases shall not be less
26 than \$21 (being a minimum \$12 county fee plus \$9 for the

1 Rental Housing Support Program State surcharge).

2 (4) Easements not otherwise part of another
3 classification. The aggregate fee for recording easements
4 not otherwise part of another classification, including
5 assignments, extensions, amendments, and easement releases
6 not filed by a State agency, unit of local government, or
7 school district shall not be less than \$21 (being a
8 minimum \$12 county fee plus \$9 for the Rental Housing
9 Support Program State surcharge).

10 (5) Miscellaneous. The aggregate fee for recording
11 documents not otherwise falling within classifications set
12 forth in paragraphs (1) through (4) and are not
13 nonstandard documents shall not be less than \$21 (being a
14 minimum \$12 county fee plus \$9 for the Rental Housing
15 Support Program State surcharge). Nothing in this
16 subsection shall preclude an alternate predictable fee
17 schedule for electronic recording within each of the
18 classifications set forth in this subsection (c). If the
19 Rental Housing Support Program State surcharge is amended
20 and the surcharge is increased or lowered, the aggregate
21 amount of the document flat fee attributable to the
22 surcharge in the document may be changed accordingly.

23 (d) If an ordinance or resolution establishing a
24 predictable fee schedule is adopted pursuant to subsection (b)
25 and any document class flat fee exceeds \$21, the county board
26 shall:

1 (1) obtain from the clerk or recorder an analysis of
2 the average fees collected for the recording of each of
3 the classifications under subsection (c) based on the 3
4 previous years of recording data, and, if a cost study has
5 not been performed, set respective document class flat
6 fees for each of the 5 document classifications at the
7 average for that class rounded upward to the next whole
8 dollar amount; or

9 (2) if a cost study has been completed within the last
10 3 years that shows \$21 is not sufficient to cover the costs
11 of providing the services related to each document class,
12 obtain from the clerk or recorder an analysis of the
13 average fees collected for the recording of each of the
14 document classifications under subsection (c) from the
15 date of the cost study and set respective document class
16 flat fees for each of the 5 document classifications at
17 the average for that document class rounded upward to the
18 next whole dollar amount.

19 (e) After a document class flat fee is approved by a county
20 board under subsection (b), the county board may, by ordinance
21 or resolution, increase the document class flat fee and
22 collect the increased fees only if the increase is justified
23 by a cost study that shows that the fees allowed by subsections
24 (c) and (d) are not sufficient to cover the cost of providing
25 the service related to the document class for which the fee is
26 to be increased. A statement of the costs of providing each

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

8 Nothing in this Section precludes a county board from
9 adjusting amounts or allocations within a given document class
10 flat fee as long as the document class flat fee is not
11 increased.

12 (Source: P.A. 100-271, eff. 8-22-17.)

13 (55 ILCS 5/3-5019) (from Ch. 34, par. 3-5019)

14 Sec. 3-5019. Monthly list of conveyances. Immediately
15 following each calendar month, the recorder, in counties with
16 less than 1,000,000 inhabitants shall, upon their request,
17 transmit copies of all documents, plats and deeds conveying
18 real property to the county clerk, the county treasurer, the
19 tax map department, the supervisor of assessments and the
20 township assessor for which the office ~~he~~ shall be paid by the
21 county the usual and customary fee charged by the recorder for
22 furnishing such documents.

23 (Source: P.A. 86-962.)

24 (55 ILCS 5/3-5020) (from Ch. 34, par. 3-5020)

1 Sec. 3-5020. Information to accompany conveyance
2 documents.

3 (a) In counties of the first and second class no recorder
4 shall record any conveyance of real estate unless the
5 conveyance contains the name and address of the grantee for
6 tax billing purposes.

7 (b) In counties with 3,000,000 or more inhabitants, the
8 county recorder shall not accept for filing any deed or
9 assignment of beneficial interest in a land trust in a
10 transaction which is exempt from filing a real estate transfer
11 declaration under the provisions of Section 4 of the Real
12 Estate Transfer Tax Act, unless the deed or assignment of a
13 beneficial interest is accompanied by,

14 (1) a sworn or affirmed statement executed by the
15 grantor or the grantor's ~~his~~ agent stating that, to the
16 best of the grantor's or the grantor's agent's ~~his~~
17 knowledge, the name of the grantee shown on the deed or
18 assignment of beneficial interest in a land trust is
19 either a natural person, an Illinois Corporation or
20 foreign corporation authorized to do business or acquire
21 and hold title to real estate in Illinois, a partnership
22 authorized to do business or acquire and hold title to
23 real estate in Illinois, or other entity recognized as a
24 person and authorized to do business or acquire and hold
25 title to real estate under the laws of the State of
26 Illinois, and

1 (2) a sworn or affirmed statement executed by the
2 grantee or the grantee's ~~his~~ agent verifying that the name
3 of the grantee shown on the deed or assignment of
4 beneficial interest in a land trust is either a natural
5 person, an Illinois corporation or foreign corporation
6 authorized to do business or acquire and hold title to
7 real estate in Illinois, a partnership authorized to do
8 business or acquire and hold title to real estate in
9 Illinois, or other entity recognized as a person and
10 authorized to do business or acquire and hold title to
11 real estate under the laws of the State of Illinois. Any
12 person who knowingly submits a false statement required
13 under this Section concerning the identity of a grantee is
14 guilty of a Class C misdemeanor. A second or subsequent
15 conviction of such offense is a Class A misdemeanor.

16 (c) In the event that the document of conveyance is a
17 trustee's deed issued under resignation by a land trustee, the
18 statements pursuant to paragraphs (1) and (2) of subsection
19 (b) shall not be required, but the trustee's deed shall
20 instead be accompanied by a sworn or affirmed statement
21 executed by the grantor land trustee stating that the
22 trustee's deed has been issued pursuant to resignation by the
23 trustee, and that the name of the grantee shown on the
24 trustee's deed is the name of the beneficiary of the trust as
25 the trustee's ~~his~~ name appears in the trust files as of the
26 date of resignation.

1 (Source: P.A. 86-962; 87-543; 87-1236.)

2 (55 ILCS 5/3-5020.5)

3 Sec. 3-5020.5. Information concerning recorded or filed
4 instruments. Each instrument recorded or filed with the
5 county recorder must contain the following:

6 (1) The name and address of the person to whom the
7 instrument is to be returned.

8 (2) The recorder's document number of any instrument (i)
9 referred to in the instrument being recorded or filed or (ii)
10 relating to the instrument being recorded or filed, such as,
11 without limitation, the recorder's document number of a
12 mortgage when the instrument being recorded or filed is a
13 release of that mortgage.

14 (3) The book and page number, if applicable, or document
15 number of any instrument (i) referred to in the instrument
16 being recorded or filed or (ii) relating to the instrument
17 being recorded or filed.

18 (Source: P.A. 88-691, eff. 1-24-95.)

19 (55 ILCS 5/3-5021) (from Ch. 34, par. 3-5021)

20 Sec. 3-5021. Recording or registering instruments
21 transferring title to real estate or a beneficial interest in
22 real estate subject to a land trust. If any home rule
23 municipality has levied a real estate transfer tax and a
24 certified copy of the ordinance or resolution levying the tax,

1 specifying the rates and the design and denomination of stamps
2 evidencing payment thereof, has been on file with the county
3 recorder for at least 30 days, the recorder of that county may
4 not accept for recording or for registration ~~under "An Act~~
5 ~~concerning land titles", approved May 1, 1897, as amended,~~ any
6 instrument transferring title to real estate in that
7 municipality, or the beneficial interest in real estate in
8 that municipality which is the subject of a land trust, for
9 which revenue stamps are required to be purchased ~~under the~~
10 ~~"Real Estate Transfer Tax Act", approved July 17, 1967, as~~
11 ~~amended,~~ without proof of payment of the municipal real estate
12 transfer tax.

13 (Source: P.A. 86-962.)

14 (55 ILCS 5/3-5024) (from Ch. 34, par. 3-5024)

15 Sec. 3-5024. Certificate of time of filing. When any
16 instrument in writing is recorded in the recorder's office,
17 the recorder shall indorse upon such instrument a certificate
18 of the time (including the hour of the day) when the same was
19 accepted or received for recordation (which shall be
20 considered the time of recording the same), and the book and
21 page or document number by and in which the same is recorded.
22 The recorder shall sign the certificate or shall affix the
23 recorder's ~~his~~ facsimile signature thereto. A physical or
24 electronic image of the recorder's stamp satisfies the
25 signature requirement for recorded instruments prior to, on,

1 and after the effective date of this amendatory Act of the
2 102nd General Assembly.

3 The certificate, when signed by the recorder, or to which
4 the recorder ~~he~~ has affixed the recorder's ~~his~~ facsimile
5 signature or a physical or electronic image of the recorder's
6 stamp, shall be evidence of the facts therein stated.

7 (Source: P.A. 102-838, eff. 5-13-22.)

8 (55 ILCS 5/3-5025) (from Ch. 34, par. 3-5025)

9 Sec. 3-5025. Books. Every recorder shall keep the
10 following books or computer databases:

11 1. An entry book, in which the recorder ~~he or she~~ shall,
12 immediately on the receipt of any instrument to be recorded or
13 filed, enter, in the order of its reception, the names of the
14 parties thereto, its date, the day of the month, hour and year
15 of receiving the same, and a brief description of the
16 premises, indorsing upon each instrument a number
17 corresponding with the number of such entry.

18 2. A grantor's index, in which shall be entered the name of
19 each grantor, in alphabetical order, the name of the grantee,
20 date of the instrument, time of receipt, kind of instrument,
21 consideration, the book and page in which it is recorded, or
22 the number under which it is filed, and a brief description of
23 the premises.

24 3. A grantee's index, in which shall be entered the name of
25 each grantee, in alphabetical order, the name of the grantor,

1 date of the instrument, time of receipt, kind of instrument,
2 consideration, the book and page in which it is recorded, or
3 the number under which it is filed, and a brief description of
4 the premises.

5 4. An index to each book or computer database of record, in
6 which shall be entered, in alphabetical order, the name of
7 each grantor and grantee, and the page number in which or
8 reference number to which the instrument is recorded.

9 5. When required by the county board, an abstract book,
10 which shall show by tracts every conveyance or incumbrance
11 recorded, the date of the instrument, time of filing the same,
12 the book and page where the same is recorded; which book shall
13 be so kept as to show a true chain of title to each tract and
14 the incumbrances thereon, as shown by the records of the his
15 office.

16 6. An index to recorded maps, plats and subdivisions, such
17 index to be made by description of land mapped, or subdivided
18 by range, township, Section, quarter-section, etc.

19 7. An index showing in alphabetical order the names of the
20 parties against whom judgments have been rendered or made and
21 transcripts or memoranda of such judgments have been recorded,
22 and the parties named in notices recorded pursuant to Section
23 1 of "An Act concerning constructive notice of condemnation
24 proceedings, proceedings to sell real property of decedents to
25 pay debts, or other suits seeking equitable relief involving
26 real property, and proceedings in bankruptcy" approved June

1 11, 1917, as amended.

2 8. An index of all ordinances, petitions, assessment
3 rolls, orders, judgments or other documents filed or recorded
4 in respect of any drainage or special assessment matter
5 sufficient to enable the public to identify all tracts
6 involved therein and to locate all the documents which have
7 been filed or recorded. The recorder may solicit the
8 assistance of the State Records Commission in organizing and
9 indexing these documents.

10 Any recorder may install or contract for the use of a
11 computerized system that will permit automated entry and
12 indexing, alphabetically by document, of instruments filed in
13 the ~~his or her~~ office and that will provide both quick search
14 and retrieval of such entries and hard copy print output,
15 whether on paper, optical disk media, or microfilm, of such
16 entries as indexed. If such a computerized system has been in
17 use in the ~~his or her~~ office for at least 6 months and the
18 recorder determines that it provides accurate and reliable
19 indices that may be stored as permanent records, more quickly
20 and efficiently than the system previously used, the recorder
21 may thereafter discontinue the use of the manual system and
22 use only the computerized system for such indices. In that
23 event, references in this Division to books, records or forms
24 as relate to such indices are intended to encompass and refer
25 to the computer system and all materials and forms directly
26 related to that system and its proper use.

1 This Section is subject to the Local Records Act.

2 (Source: P.A. 88-661, eff. 9-16-94.)

3 (55 ILCS 5/3-5029) (from Ch. 34, par. 3-5029)

4 Sec. 3-5029. Map, plat or subdivision of land; penalty. No
5 person shall offer or present for recording or record any map,
6 plat or subdivision of land situated in any incorporated city,
7 town or village, nor within 1 1/2 miles of the corporate limits
8 of any incorporated city, town or village which has adopted a
9 city plan and is exercising the special powers authorized by
10 Division 12 of Article 11 of the Illinois Municipal Code, as
11 now or hereafter amended, and not included in any municipality
12 unless the map, plat or subdivision is under the seal of a
13 registered Illinois land surveyor and unless it is entitled to
14 record as provided in Sections 11-15-1 and 11-12-3 of the
15 Illinois Municipal Code, as now or hereafter amended. Any map,
16 plat or subdivision of land presented for recording shall have
17 attached thereto or endorsed thereon the Certificate of an
18 Illinois Registered Land Surveyor that the land is or is not
19 within any incorporated city, town or village, nor within 1
20 1/2 miles of the corporate limits of any incorporated city,
21 town or village which has adopted a city plan and is exercising
22 the special powers authorized by Division 12 of Article 11 of
23 the Illinois Municipal Code, as now or hereafter amended, and
24 not included in any municipality. No person shall offer or
25 present for recording or record any subdivision plat of any

1 lands bordering on or including any public waters of the State
2 in which the State of Illinois has any property rights or
3 property interests, unless such subdivision plat is under the
4 seal of a registered Illinois Land Surveyor and is approved by
5 the Department of Natural Resources, nor shall any person
6 offer or present for recording or record any map, plat or
7 subdivision of lands, without indicating whether any part of
8 which as shown on the map, plat or subdivision is located
9 within a special flood hazard area as identified by the
10 Federal Emergency Management Agency nor shall any person offer
11 or present for recording or record any map, plat or
12 subdivision of land situated outside any incorporated city,
13 town or village unless the map, plat or subdivision is under
14 the seal of a registered Illinois land surveyor, and unless it
15 is entitled to record as provided in Section 5-1045, however,
16 the provisions of this Section shall not apply to any street or
17 highway survey map or plat. Any person who records, or who
18 offers or presents for recording, which offer or presentation
19 results in a recording of, any map, plat or subdivision of land
20 which the person ~~he~~ knows to be in violation of this Section
21 shall pay to the county the sum of \$1,000 ~~\$200~~, to be recovered
22 in the circuit court, in the name of the state, for the use of
23 the county, with costs of suit.

24 (Source: P.A. 89-445, eff. 2-7-96.)

25 (55 ILCS 5/3-5031) (from Ch. 34, par. 3-5031)

1 Sec. 3-5031. Penalty. If any recorder shall willfully fail
2 to perform any duty imposed upon the recorder ~~him~~ by this
3 Division, the recorder ~~he~~ shall be guilty of malfeasance in
4 office, and shall be punished accordingly, and shall be liable
5 to the party injured for all damages occasioned thereby.

6 (Source: P.A. 95-877, eff. 1-1-09.)

7 (55 ILCS 5/3-5033) (from Ch. 34, par. 3-5033)

8 Sec. 3-5033. County to furnish books, equipment and
9 supplies. The county board of each county shall from time to
10 time, as may be necessary, provide the recorder of such county
11 with well-bound and properly ruled books, and where
12 photostating, optical disk storage, or microfilming is used,
13 the recorder shall likewise be furnished all such equipment
14 (such as computers, printers, and scanners) and supplies
15 necessary to the execution of the duties of the ~~his~~ office.
16 They may procure books of printed forms to be filled up in the
17 recording of any instrument, when the same may be done without
18 interlineation or erasure, and shall in all cases, when
19 practicable, procure the necessary index and abstract books
20 with printed headings. The cost of such books, equipment and
21 supplies shall be chargeable against the surplus fees of the
22 office, or paid by the county.

23 (Source: P.A. 88-661, eff. 9-16-94.)

24 (55 ILCS 5/3-5036.5)

1 Sec. 3-5036.5. Exchange of information for child support
2 enforcement.

3 (a) The recorder ~~Recorder~~ shall exchange with the
4 Department of Healthcare and Family Services information that
5 may be necessary for the enforcement of child support orders
6 entered pursuant to the Illinois Public Aid Code, the Illinois
7 Marriage and Dissolution of Marriage Act, ~~the Non-Support of~~
8 ~~Spouse and Children Act,~~ the Non-Support Punishment Act, ~~the~~
9 ~~Revised Uniform Reciprocal Enforcement of Support Act,~~ the
10 Uniform Interstate Family Support Act, ~~the Illinois Parentage~~
11 ~~Act of 1984,~~ or the Illinois Parentage Act of 2015.

12 (b) Notwithstanding any provisions in this Code to the
13 contrary, the recorder ~~Recorder~~ shall not be liable to any
14 person for any disclosure of information to the Department of
15 Healthcare and Family Services ~~(formerly Illinois Department~~
16 ~~of Public Aid)~~ under subsection (a) or for any other action
17 taken in good faith to comply with the requirements of
18 subsection (a).

19 (Source: P.A. 99-85, eff. 1-1-16.)

20 (55 ILCS 5/3-5037) (from Ch. 34, par. 3-5037)

21 Sec. 3-5037. Instruments to be re-recorded; fee; penalty.
22 In all cases where the records of any county have been or shall
23 hereafter be destroyed by fire or other casualty, it shall be
24 the duty of the recorder of such county to re-record all deeds,
25 mortgages or other instruments in writing which may have been

1 recorded or filed for record prior to the destruction of such
2 records, together with the certificates of such original
3 recording, that may be filed in the ~~his~~ office for
4 re-recording; and the recorder may charge and receive, as a
5 fee for re-recording such deeds, mortgages and other
6 instruments aforesaid, and the certificate of such recording,
7 5¢ for each 100 words or fractions thereof, and no more; and
8 any recorder who shall charge a greater fee than the
9 foregoing, or who shall refuse to re-record such instruments
10 in writing, for the fee aforesaid, shall be deemed guilty of
11 malfeasance in office, and subject to all the penalties
12 prescribed by law for such offense.

13 (Source: P.A. 86-962.)

14 (55 ILCS 5/3-5038) (from Ch. 34, par. 3-5038)

15 Sec. 3-5038. Judgment dockets. In all counties where a
16 recorder is elected in which the recorder has heretofore been,
17 or shall hereafter be required by the county board to keep
18 abstract books showing by tract every conveyance or
19 incumbrance recorded, the date of the instrument, the time of
20 filing same, the book and page where the same is recorded, and
21 showing a true chain of title to each tract and the
22 incumbrances thereon, as shown by the records of the ~~his~~
23 office, such recorder shall ~~and he is hereby authorized to~~
24 keep judgment dockets and indexes thereto, showing all
25 judicial proceedings affecting title to real estate in such

1 county, tax sale books with indexes thereto, showing sales or
2 forfeitures of all lands in the county for unpaid taxes and
3 assessments, and such other books as are usual or necessary to
4 be kept for the purpose of making complete abstracts of title
5 to real estate; and the county board shall furnish such
6 recorder with the necessary rooms, books, stationery, fuel and
7 lights for the purposes herein set forth: Provided, that
8 nothing in this Division shall be construed to empower the
9 recorder to prevent the public from examining and taking
10 memoranda from all records and instruments filed for record,
11 indexes and other books in the recorder's ~~his~~ official
12 custody, but it shall be the recorder's ~~his~~ duty at all times,
13 when the ~~his~~ office is or is required by law to be open, to
14 allow all persons without fee or reward to examine and take
15 memoranda from the same. This Section is subject to the
16 provisions of the ~~"The~~ Local Records Act".

17 (Source: P.A. 86-962.)

18 (55 ILCS 5/3-5045) (from Ch. 34, par. 3-5045)

19 Sec. 3-5045. Scope of liability in connection with Uniform
20 Commercial Code. No recorder nor any of the recorder's ~~his~~
21 employees or agents shall be subject to personal liability by
22 reason of any error or omission in the performance of any duty
23 under Article 9 of the Uniform Commercial Code except in case
24 of willful ~~willful~~ negligence.

25 (Source: P.A. 86-962.)

1 (55 ILCS 5/3-5017 rep.)

2 Section 10. The Counties Code is amended by repealing
3 Section 3-5017.

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

| | | |
|----|--------------------|---|
| 1 | | INDEX |
| 2 | | Statutes amended in order of appearance |
| 3 | 55 ILCS 5/3-5001 | from Ch. 34, par. 3-5001 |
| 4 | 55 ILCS 5/3-5002 | from Ch. 34, par. 3-5002 |
| 5 | 55 ILCS 5/3-5003 | from Ch. 34, par. 3-5003 |
| 6 | 55 ILCS 5/3-5004 | from Ch. 34, par. 3-5004 |
| 7 | 55 ILCS 5/3-5005 | from Ch. 34, par. 3-5005 |
| 8 | 55 ILCS 5/3-5005.1 | from Ch. 34, par. 3-5005.1 |
| 9 | 55 ILCS 5/3-5005.2 | from Ch. 34, par. 3-5005.2 |
| 10 | 55 ILCS 5/3-5005.3 | from Ch. 34, par. 3-5005.3 |
| 11 | 55 ILCS 5/3-5005.4 | from Ch. 34, par. 3-5005.4 |
| 12 | 55 ILCS 5/3-5006 | from Ch. 34, par. 3-5006 |
| 13 | 55 ILCS 5/3-5007 | from Ch. 34, par. 3-5007 |
| 14 | 55 ILCS 5/3-5008 | from Ch. 34, par. 3-5008 |
| 15 | 55 ILCS 5/3-5009 | from Ch. 34, par. 3-5009 |
| 16 | 55 ILCS 5/3-5010 | from Ch. 34, par. 3-5010 |
| 17 | 55 ILCS 5/3-5010.5 | |
| 18 | 55 ILCS 5/3-5010.8 | |
| 19 | 55 ILCS 5/3-5011 | from Ch. 34, par. 3-5011 |
| 20 | 55 ILCS 5/3-5012 | from Ch. 34, par. 3-5012 |
| 21 | 55 ILCS 5/3-5013 | from Ch. 34, par. 3-5013 |
| 22 | 55 ILCS 5/3-5014 | from Ch. 34, par. 3-5014 |
| 23 | 55 ILCS 5/3-5015 | from Ch. 34, par. 3-5015 |
| 24 | 55 ILCS 5/3-5016 | from Ch. 34, par. 3-5016 |
| 25 | 55 ILCS 5/3-5018 | from Ch. 34, par. 3-5018 |

| | | |
|----|-----------------------|--------------------------|
| 1 | 55 ILCS 5/3-5018.1 | |
| 2 | 55 ILCS 5/3-5019 | from Ch. 34, par. 3-5019 |
| 3 | 55 ILCS 5/3-5020 | from Ch. 34, par. 3-5020 |
| 4 | 55 ILCS 5/3-5020.5 | |
| 5 | 55 ILCS 5/3-5021 | from Ch. 34, par. 3-5021 |
| 6 | 55 ILCS 5/3-5024 | from Ch. 34, par. 3-5024 |
| 7 | 55 ILCS 5/3-5025 | from Ch. 34, par. 3-5025 |
| 8 | 55 ILCS 5/3-5029 | from Ch. 34, par. 3-5029 |
| 9 | 55 ILCS 5/3-5031 | from Ch. 34, par. 3-5031 |
| 10 | 55 ILCS 5/3-5033 | from Ch. 34, par. 3-5033 |
| 11 | 55 ILCS 5/3-5036.5 | |
| 12 | 55 ILCS 5/3-5037 | from Ch. 34, par. 3-5037 |
| 13 | 55 ILCS 5/3-5038 | from Ch. 34, par. 3-5038 |
| 14 | 55 ILCS 5/3-5045 | from Ch. 34, par. 3-5045 |
| 15 | 55 ILCS 5/3-5017 rep. | |