

1 AN ACT concerning housing.

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

4 Section 1. Short title. This Act may be cited as the
5 Rental Housing Support Program Act.

6 Section 5. Legislative findings and purpose. The General
7 Assembly finds that in many parts of this State, large numbers
8 of citizens are faced with the inability to secure affordable
9 rental housing. Due to either insufficient wages or a shortage
10 of affordable rental housing stock, or both, many families have
11 difficulty securing decent housing, are subjected to
12 overcrowding, pay too large a portion of their total monthly
13 income for housing and consequently suffer the lack of other
14 basic needs, live in substandard or unhealthy housing, or
15 experience chronic housing instability. Instability and
16 inadequacy in housing limits the employability and
17 productivity of many citizens, adversely affects family health
18 and stress levels, impedes children's ability to learn, and
19 produces corresponding drains on public resources. It is the
20 purpose of this Act to create a State program to help
21 localities address the need for decent, affordable, permanent
22 rental housing.

23 Section 7. Definitions. In this Act:

24 "Authority" means the Illinois Housing Development
25 Authority.

26 "Developer" means any entity that receives a grant under
27 Section 20.

28 "Program" means the Rental Housing Support Program.

29 "Real estate-related document" means any recorded document
30 that affects an interest in real property excluding documents
31 which solely affect or relate to an easement for water, sewer,

1 electricity, gas, telephone or other public service.

2 "Unit" means a rental apartment unit receiving a subsidy by
3 means of a grant under this Act. "Unit" does not include
4 housing units intended as transitional or temporary housing.

5 Section 10. Creation of Program and distribution of funds.

6 (a) The Rental Housing Support Program is created within
7 the Illinois Housing Development Authority. The Authority
8 shall administer the program and adopt rules for its
9 implementation.

10 (b) The Authority shall distribute amounts appropriated
11 for the Program from the Rental Housing Support Program Fund
12 and any other appropriations provided for the Program as
13 follows:

14 (1) A proportionate share of the annual appropriation,
15 as determined under subsection (d) of Section 15 of this
16 Act shall be distributed to municipalities with a
17 population greater than 2,000,000. Those municipalities
18 shall use at least 10% of those funds in accordance with
19 Section 20 of this Act, and all provisions governing the
20 Authority's actions under Section 20 shall govern the
21 actions of the corporate authorities of a municipality
22 under this Section. As to the balance of the annual
23 distribution, the municipality shall designate a
24 non-profit organization that meets the specific criteria
25 set forth in Section 25 of this Act to serve as the "local
26 administering agency" under Section 15 of this Act.

27 (2) Of the remaining appropriation after the
28 distribution in paragraph (1) of this subsection, the
29 Authority shall designate at least 10% for the purposes of
30 Section 20 of this Act in areas of the State not covered
31 under paragraph (1) of this subsection.

32 (3) The remaining appropriation after the
33 distributions in paragraphs (1) and (2) of this subsection
34 shall be distributed according to Section 15 of this Act in
35 areas of the State not covered under paragraph (1) of this

1 subsection.

2 Section 15. Grants to local administering agencies.

3 (a) Under the program, the Authority shall make grants to
4 local administering agencies to provide subsidies to landlords
5 to enable the landlords to charge rent affordable for
6 low-income tenants. Grants shall also include an amount for the
7 operating expenses of local administering agencies. Operating
8 expenses for local administering agencies shall not exceed 10%
9 for grants under \$500,000 and shall not exceed 7% for grants
10 over \$500,000.

11 (b) The Authority shall develop a request-for-proposals
12 process for soliciting proposals from local administering
13 agencies and for awarding grants. The request-for-proposals
14 process and the funded projects must be consistent with the
15 criteria set forth in Section 25 and with additional criteria
16 set forth by the Authority in rules implementing this Act.

17 (c) Local administering agencies may be local governmental
18 bodies, local housing authorities, or not-for-profit
19 organizations. The Authority shall set forth in rules the
20 financial and capacity requirements necessary for an
21 organization to qualify as a local administering agency and the
22 parameters for administration of the grants by local
23 administering agencies.

24 (d) The Authority shall distribute grants to local
25 administering agencies according to a formula based on U.S.
26 Census data. The formula shall determine percentages of the
27 funds to be distributed to the following geographic areas: (i)
28 Chicago; (ii) suburban areas: Cook County (excluding Chicago),
29 DuPage County, Lake County, Kane County, Will County, and
30 McHenry County; (iii) small metropolitan areas: Springfield,
31 Rockford, Peoria, Decatur, Champaign-Urbana,
32 Bloomington-Normal, Rock Island, DeKalb, Madison County,
33 Moline, Pekin, Rantoul, and St. Clair County; and (iv) rural
34 areas, defined as all areas of the State not specifically named
35 in items (i), (ii), and (iii) of this subsection. A geographic

1 area's percentage share shall be determined by the total number
2 of households that have an annual income of less than 50% of
3 State median income for a household of 4, as determined by the
4 U.S. Department of Housing and Urban Development, and that are
5 paying more than 30% of their income for rent. The geographic
6 distribution shall be re-determined by the Authority each time
7 new U.S. Census data becomes available. The Authority shall
8 phase in any changes to the geographic formula to prevent a
9 large withdrawal of resources from one area that could
10 negatively impact households receiving rental housing support.
11 Up to 20% of the funds allocated for rural areas, as defined in
12 this subsection, may be set aside and awarded to one
13 administering agency to be distributed throughout the rural
14 areas in the State to localities that desire a number of
15 subsidized units of housing that is too small to justify the
16 establishment of a full local program. In those localities, the
17 administering agency may contract with local agencies to share
18 the administrative tasks of the program, such as inspections of
19 units.

20 (e) In order to ensure applications from all geographic
21 areas of the State, the Authority shall create a plan to ensure
22 that potential local administering agencies have ample time and
23 support to consider making an application and to prepare an
24 application. Such a plan must include, but is not limited to:
25 an outreach and education plan regarding the program and the
26 requirements for a local administering agency; ample time
27 between the initial notice of funding ability and the deadline
28 to submit an application, which shall not be less than 9
29 months; and access to assistance from the Authority or another
30 agency in considering and preparing the application.

31 (f) In order to maintain consistency for households
32 receiving rental housing support, the Authority shall, to the
33 extent possible given funding resources available in the Rental
34 Housing Support Program, continue to fund local administering
35 agencies at the same level on an annual basis, unless the
36 Authority determines that a local administering agency is not

1 meeting the criteria set forth in Section 25 or is not adhering
2 to other standards set forth by rule by the Authority.

3 Section 20. Grants for affordable housing developments.

4 (a) The Authority may award grants under the program
5 directly for the development of affordable rental housing for
6 long-term operating support to enable the rent on such units to
7 be affordable. Developers of such new housing shall apply
8 directly to the Authority for this type of grant under the
9 program.

10 (b) The Authority shall prescribe by rule the application
11 requirements and the qualifications necessary for a developer
12 and a development to qualify for a grant under the program. In
13 any event, however, to qualify for a grant, the development
14 must satisfy the criteria set forth in Section 25, unless
15 waived by the Authority based on special circumstances and in
16 furtherance of the purpose of the program to increase the
17 supply of affordable rental housing. In awarding grants under
18 this Section and in addition to any other requirements and
19 qualifications specified in this Act and by rule, the Authority
20 shall also consider the improvement of the geographic diversity
21 of the developments under this Section among the decision
22 criteria.

23 (c) The Authority must use at least 10% of the funds
24 generated for the Program in any given year for grants under
25 this Section. In any given year, the Authority is not required
26 to spend the 10% of its funds that accrues in that year but may
27 add all or part of that 10% to the 10% allocation for
28 subsequent years for the purpose of funding grants under this
29 Section.

30 Section 25. Criteria for awarding grants. The Authority
31 shall adopt rules to govern the awarding of grants and the
32 continuing eligibility for grants under Sections 15 and 20.
33 Requests for proposals under Section 20 must specify that
34 proposals must satisfy these rules. The rules must contain and

1 be consistent with, but need not be limited to, the following
2 criteria:

3 (1) Eligibility for tenancy in the units supported by
4 grants to local administering agencies must be limited to
5 households with gross income at or below 30% of the median
6 family income for the area in which the grant will be made.
7 Fifty percent of the units that are supported by any grant
8 must be set aside for households whose income is at or
9 below 15% of the area median family income for the area in
10 which the grant will be made, provided that local
11 administering agencies may negotiate flexibility in this
12 set-aside with the Authority if they demonstrate that they
13 have been unable to locate sufficient tenants in this lower
14 income range. Income eligibility for units supported by
15 grants to local administering agencies must be verified
16 annually by landlords and submitted to local administering
17 agencies. Tenants must have sufficient income to be able to
18 afford the tenant's share of the rent. For grants awarded
19 under Section 20, eligibility for tenancy in units
20 supported by grants must be limited to households with a
21 gross income at or below 30% of area median family income
22 for the area in which the grant will be made. Fifty percent
23 of the units that are supported by any grant must be set
24 aside for households whose income is at or below 15% of the
25 median family income for the area in which the grant will
26 be made, provided that developers may negotiate
27 flexibility in this set-aside with the Authority or
28 municipality as defined in subsection (b) of Section 10 if
29 it demonstrates that it has been unable to locate
30 sufficient tenants in this lower income range. The
31 Authority shall determine what sources qualify as a
32 tenant's income.

33 (2) Local administering agencies must include
34 2-bedroom, 3-bedroom, and 4-bedroom units among those
35 intended to be supported by grants under the program. In
36 grants under Section 15, the precise number of these units

1 among all the units intended to be supported by a grant
2 must be based on need in the community for larger units and
3 other factors that the Authority specifies in rules. The
4 local administering agency must specify the basis for the
5 numbers of these units that are proposed for support under
6 a grant. Local administering agencies must make a good
7 faith effort to comply with this allocation of unit sizes.
8 In grants awarded under Section 20, developers and the
9 Authority or municipality, as defined in subsection (b) of
10 Section 10, shall negotiate the numbers and sizes of units
11 to be built in a project and supported by the grant.

12 (3) Under grants awarded under Section 15, local
13 administering agencies must enter into a payment contract
14 with the landlord that defines the method of payment and
15 must pay subsidies to landlords on a quarterly basis and in
16 advance of the quarter paid for.

17 (4) Local administering agencies and developers must
18 specify how vacancies in units supported by a grant must be
19 advertised and they must include provisions for outreach to
20 local homeless shelters, organizations that work with
21 people with disabilities, and others interested in
22 affordable housing.

23 (5) The local administering agency or developer must
24 establish a schedule for the tenant's rental obligation for
25 units supported by a grant. The tenant's share of the rent
26 must be a flat amount, calculated annually, based on the
27 size of the unit and the household's income category. In
28 establishing the schedule for the tenant's rental
29 obligation, the local administering agency or developer
30 must use 30% of gross income within an income range as a
31 guide, and it may charge an additional or lesser amount.

32 (6) The amount of the subsidy provided under a grant
33 for a unit must be the difference between the amount of the
34 tenant's obligation and the total amount of rent for the
35 unit. The total amount of rent for the unit must be
36 negotiated between the local administering authority and

1 the landlord under Section 15, or between the Authority or
2 municipality, as defined in subsection (b) of Section 10,
3 and the developer under Section 20, using comparable rents
4 for units of comparable size and condition in the
5 surrounding community as a guideline.

6 (7) Local administering agencies and developers,
7 pursuant to criteria the Authority develops in rules, must
8 ensure that there are procedures in place to maintain the
9 safety and habitability of units supported under grants.
10 Local administering agencies must inspect units before
11 supporting them under a grant awarded under Section 15.

12 (8) Local administering agencies must provide or
13 ensure that tenants are provided with a "bill of rights"
14 with their lease setting forth local landlord-tenant laws
15 and procedures and contact information for the local
16 administering agency.

17 (9) A local administering agency must create a plan
18 detailing a process for helping to provide information,
19 when necessary, on how to access education, training, and
20 other supportive services to tenants living in units
21 supported under the grant. The plan must be submitted as a
22 part of the administering agency's proposal to the
23 Authority required under Section 15.

24 (10) Local administering agencies and developers may
25 not use funding under the grant to develop or support
26 housing that requires that a tenant has a particular
27 diagnosis or type or presence of disability as a condition
28 of eligibility for occupancy unless the requirement is
29 mandated by another funding source for the housing.

30 (11) In order to plan for periodic fluctuations in
31 program revenue, the Authority shall establish by rule a
32 mechanism for establishing a reserve fund and the level of
33 funding that shall be held in reserve either by the
34 Authority or by local administering agencies.

35 Section 85. The State Finance Act is amended by adding

1 Section 5.640 as follows:

2 (30 ILCS 105/5.640 new)

3 Sec. 5.640. The Rental Housing Support Program Fund.

4 Section 90. The Counties Code is amended by changing
5 Sections 3-5018 and 4-12002 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 by law, in case of provision therefor: otherwise he
10 shall receive the same fees as are or may be provided in this
11 Section, except when increased by county ordinance pursuant to
12 the provisions of this Section, to be paid to the county clerk
13 for his services in the office of recorder for like services.

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

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

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

30 For recording maps or plats of additions or subdivisions
31 approved by the county or municipality (including the spreading
32 of the same of record in map case or other proper books) or
33 plats of condominiums \$50 for the first page, plus \$1 for each

1 additional page thereof except that in the case of recording a
2 single page, legal size 8 1/2 x 14, plat of survey in which
3 there are no more than two lots or parcels of land, the fee
4 shall be \$12. In each county where such maps or plats are to be
5 recorded, the recorder may require the same to be accompanied
6 by such number of exact, true and legible copies thereof as the
7 recorder deems necessary for the efficient conduct and
8 operation of his office.

9 For certified copies of records the same fees as for
10 recording, but in no case shall the fee for a certified copy of
11 a map or plat of an addition, subdivision or otherwise exceed
12 \$10.

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

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

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

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

34 (3) The document shall be on white paper of not less
35 than 20-pound weight and shall have a clean margin of at
36 least one-half inch on the top, the bottom, and each side.

1 Margins may be used for non-essential notations that will
2 not affect the validity of the document, including but not
3 limited to form numbers, page numbers, and customer
4 notations.

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

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

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

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

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

29 The county board of any county that provides and maintains
30 a countywide map through a Geographic Information System (GIS)
31 may provide for an additional charge of \$3 for filing every
32 instrument, paper, or notice for record (1) in order to defray
33 the cost of implementing or maintaining the county's Geographic
34 Information System and (2) in order to defray the cost of
35 providing electronic access to the county's Geographic
36 Information System records. Of that amount, \$2 must be

1 deposited into a special fund set up by the treasurer of the
2 county, and any moneys collected pursuant to this amendatory
3 Act of the 91st General Assembly and deposited into that fund
4 must be used solely for the equipment, materials, and necessary
5 expenses incurred in implementing and maintaining a Geographic
6 Information System and in order to defray the cost of providing
7 electronic access to the county's Geographic Information
8 System records. The remaining \$1 must be deposited into the
9 recorder's special funds created under Section 3-5005.4. The
10 recorder may, in his or her discretion, use moneys in the funds
11 created under Section 3-5005.4 to defray the cost of
12 implementing or maintaining the county's Geographic
13 Information System and to defray the cost of providing
14 electronic access to the county's Geographic Information
15 System records.

16 The recorder shall collect a \$10 Rental Housing Support
17 Program State surcharge for the recordation of any real
18 estate-related document. Payment of the Rental Housing Support
19 Program State surcharge shall be evidenced by a receipt that
20 shall be marked upon or otherwise affixed to the real
21 estate-related document by the recorder. The form of this
22 receipt shall be prescribed by the Department of Revenue and
23 the receipts shall be issued by the Department of Revenue to
24 each county recorder.

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

28 One dollar of each surcharge shall be retained by the
29 county in which it was collected. This dollar shall be
30 deposited into the county's general revenue fund. Fifty cents
31 of that amount shall be used for the costs of administering the
32 Rental Housing Support Program State surcharge and any other
33 lawful expenditures for the operation of the office of the
34 recorder and may not be appropriated or expended for any other
35 purpose. The amounts available to the recorder for expenditure
36 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
27 release or subordination, or any other type of notice or other
28 documentation affecting or concerning a lien is \$5. Regardless
29 of any other provision in this Section, the maximum fee that
30 may be collected from the Department of Revenue for indexing
31 each additional name in excess of one for any lien, certificate
32 of lien release or subordination, or any other type of notice
33 or other documentation affecting or concerning a lien is \$1.

34 A statement of the costs of providing each service, program
35 and activity shall be prepared by the county board. All
36 supporting documents shall be public record and subject to

1 public examination and audit. All direct and indirect costs, as
2 defined in the United States Office of Management and Budget
3 Circular A-87, may be included in the determination of the
4 costs of each service, program and activity.

5 (Source: P.A. 92-16, eff. 6-28-01; 92-492, eff. 1-1-02; 93-256,
6 eff. 7-22-03.)

7 (55 ILCS 5/4-12002) (from Ch. 34, par. 4-12002)

8 Sec. 4-12002. Fees of recorder in third class counties. The
9 fees of the recorder in counties of the third class for
10 recording deeds or other instruments in writing and maps of
11 plats of additions, subdivisions or otherwise, and for
12 certifying copies of records, shall be paid in advance and
13 shall be as follows:

14 For recording deeds or other instruments \$20 for the first
15 2 pages thereof, plus \$2 for each additional page thereof. The
16 aggregate minimum fee for recording any one instrument shall
17 not be less than \$20.

18 For recording deeds or other instruments wherein the
19 premises affected thereby are referred to by document number
20 and not by legal description the recorder shall charge a fee of
21 \$4 in addition to that hereinabove referred to for each
22 document number therein noted.

23 For recording deeds or other instruments wherein more than
24 one tract, parcel or lot is described and such additional
25 tract, or tracts, parcel or parcels, lot or lots is or are
26 described therein as falling in a separate or different
27 addition or subdivision the recorder shall charge as an
28 additional fee, to that herein provided, the sum of \$2 for each
29 additional addition or subdivision referred to in such deed or
30 instrument.

31 For recording maps or plats of additions, subdivisions or
32 otherwise (including the spreading of the same of record in
33 well bound books) \$100 plus \$2 for each tract, parcel or lot
34 contained therein.

35 For certified copies of records the same fees as for

1 recording, but in no case shall the fee for a certified copy of
2 a map or plat of an addition, subdivision or otherwise exceed
3 \$200.

4 For non-certified copies of records, an amount not to
5 exceed one half of the amount provided herein for certified
6 copies, according to a standard scale of fees, established by
7 county ordinance and made public.

8 For filing of each release of any chattel mortgage or trust
9 deed which has been filed but not recorded and for indexing the
10 same in the book to be kept for that purpose \$10.

11 For processing the sworn or affirmed statement required for
12 filing a deed or assignment of a beneficial interest in a land
13 trust in accordance with Section 3-5020 of this Code, \$2.

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

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

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

28 (3) The document shall be on white paper of not less
29 than 20-pound weight and shall have a clean margin of at
30 least one-half inch on the top, the bottom, and each side.
31 Margins may be used only for non-essential notations that
32 will not affect the validity of the document, including but
33 not limited to form numbers, page numbers, and customer
34 notations.

35 (4) The first page of the document shall contain a
36 blank space, measuring at least 3 inches by 5 inches, from

1 the upper right corner.

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

4 A document that does not conform to these standards shall not
5 be recorded except upon payment of the additional fee required
6 under this paragraph. This paragraph, as amended by this
7 amendatory Act of 1995, applies only to documents dated after
8 the effective date of this amendatory Act of 1995.

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

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

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

31 On the 15th day of each month, each county recorder shall
32 report to the Department of Revenue, on a form prescribed by
33 the Department, the number of real estate-related documents
34 recorded for which the Rental Housing Support Program State
35 surcharge was collected. Each recorder shall submit \$9 of each
36 surcharge collected in the preceding month to the Department of

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

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

8 The fee requirements of this Section apply to units of
9 local government and school districts.

10 Regardless of any other provision in this Section, the
11 maximum fee that may be collected from the Department of
12 Revenue for filing or indexing a lien, certificate of lien
13 release or subordination, or any other type of notice or other
14 documentation affecting or concerning a lien is \$5. Regardless
15 of any other provision in this Section, the maximum fee that
16 may be collected from the Department of Revenue for indexing
17 each additional name in excess of one for any lien, certificate
18 of lien release or subordination, or any other type of notice
19 or other documentation affecting or concerning a lien is \$1.

20 (Source: P.A. 92-492, eff. 1-1-02; 93-671, eff. 6-1-04.)

21 Section 99. Effective date. This Act takes effect July 1,
22 2005.