



Sen. Iris Y. Martinez

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1 AMENDMENT TO SENATE BILL 75

2 AMENDMENT NO. \_\_\_\_\_. Amend Senate Bill 75 by replacing  
3 everything after the enacting clause with the following:

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:

1 "Authority" means the Illinois Housing Development  
2 Authority.

3 "Developer" means any entity that receives a grant under  
4 Section 20.

5 "Program" means the Rental Housing Support Program.

6 "Real estate-related document" means any recorded document  
7 that affects an interest in real property excluding documents  
8 which solely affect or relate to an easement for water, sewer,  
9 electricity, gas, telephone or other public service.

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

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

14 (a) The Rental Housing Support Program is created within  
15 the Illinois Housing Development Authority. The Authority  
16 shall administer the program and adopt rules for its  
17 implementation.

18 (b) The Authority shall distribute amounts appropriated  
19 for the Program from the Rental Housing Support Program Fund  
20 and any other appropriations provided for the Program as  
21 follows:

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

1       administering agency" under Section 15 of this Act.

2           (2) Of the remaining appropriation after the  
3       distribution in paragraph (1) of this subsection, the  
4       Authority shall designate at least 10% for the purposes of  
5       Section 20 of this Act in areas of the State not covered  
6       under paragraph (1) of this subsection.

7           (3) The remaining appropriation after the  
8       distributions in paragraphs (1) and (2) of this subsection  
9       shall be distributed according to Section 15 of this Act in  
10      areas of the State not covered under paragraph (1) of this  
11      subsection.

12      Section 15. Grants to local administering agencies.

13      (a) Under the program, the Authority shall make grants to  
14      local administering agencies to provide subsidies to landlords  
15      to enable the landlords to charge rent affordable for  
16      low-income tenants. Grants shall also include an amount for the  
17      operating expenses of local administering agencies. Operating  
18      expenses for local administering agencies shall not exceed 10%  
19      for grants under \$500,000 and shall not exceed 7% for grants  
20      over \$500,000.

21      (b) The Authority shall develop a request-for-proposals  
22      process for soliciting proposals from local administering  
23      agencies and for awarding grants. The request-for-proposals  
24      process and the funded projects must be consistent with the  
25      criteria set forth in Section 25 and with additional criteria  
26      set forth by the Authority in rules implementing this Act.

27      (c) Local administering agencies may be local governmental  
28      bodies, local housing authorities, or not-for-profit  
29      organizations. The Authority shall set forth in rules the  
30      financial and capacity requirements necessary for an  
31      organization to qualify as a local administering agency and the  
32      parameters for administration of the grants by local  
33      administering agencies.

1           (d) The Authority shall distribute grants to local  
2 administering agencies according to a formula based on U.S.  
3 Census data. The formula shall determine percentages of the  
4 funds to be distributed to the following geographic areas: (i)  
5 Chicago; (ii) suburban areas: Cook County (excluding Chicago),  
6 DuPage County, Lake County, Kane County, Will County, and  
7 McHenry County; (iii) small metropolitan areas: Springfield,  
8 Rockford, Peoria, Decatur, Champaign-Urbana,  
9 Bloomington-Normal, Rock Island, DeKalb, Madison County,  
10 Moline, Pekin, Rantoul, and St. Clair County; and (iv) rural  
11 areas, defined as all areas of the State not specifically named  
12 in items (i), (ii), and (iii) of this subsection. A geographic  
13 area's percentage share shall be determined by the total number  
14 of households that have an annual income of less than 50% of  
15 State median income for a household of 4, as determined by the  
16 U.S. Department of Housing and Urban Development, and that are  
17 paying more than 30% of their income for rent. The geographic  
18 distribution shall be re-determined by the Authority each time  
19 new U.S. Census data becomes available. The Authority shall  
20 phase in any changes to the geographic formula to prevent a  
21 large withdrawal of resources from one area that could  
22 negatively impact households receiving rental housing support.  
23 Up to 20% of the funds allocated for rural areas, as defined in  
24 this subsection, may be set aside and awarded to one  
25 administering agency to be distributed throughout the rural  
26 areas in the State to localities that desire a number of  
27 subsidized units of housing that is too small to justify the  
28 establishment of a full local program. In those localities, the  
29 administering agency may contract with local agencies to share  
30 the administrative tasks of the program, such as inspections of  
31 units.

32           (e) In order to ensure applications from all geographic  
33 areas of the State, the Authority shall create a plan to ensure  
34 that potential local administering agencies have ample time and

1 support to consider making an application and to prepare an  
2 application. Such a plan must include, but is not limited to:  
3 an outreach and education plan regarding the program and the  
4 requirements for a local administering agency; ample time  
5 between the initial notice of funding ability and the deadline  
6 to submit an application, which shall not be less than 9  
7 months; and access to assistance from the Authority or another  
8 agency in considering and preparing the application.

9 (f) In order to maintain consistency for households  
10 receiving rental housing support, the Authority shall, to the  
11 extent possible given funding resources available in the Rental  
12 Housing Support Program, continue to fund local administering  
13 agencies at the same level on an annual basis, unless the  
14 Authority determines that a local administering agency is not  
15 meeting the criteria set forth in Section 25 or is not adhering  
16 to other standards set forth by rule by the Authority.

17 Section 20. Grants for affordable housing developments.

18 (a) The Authority may award grants under the program  
19 directly for the development of affordable rental housing for  
20 long-term operating support to enable the rent on such units to  
21 be affordable. Developers of such new housing shall apply  
22 directly to the Authority for this type of grant under the  
23 program.

24 (b) The Authority shall prescribe by rule the application  
25 requirements and the qualifications necessary for a developer  
26 and a development to qualify for a grant under the program. In  
27 any event, however, to qualify for a grant, the development  
28 must satisfy the criteria set forth in Section 25, unless  
29 waived by the Authority based on special circumstances and in  
30 furtherance of the purpose of the program to increase the  
31 supply of affordable rental housing. In awarding grants under  
32 this Section and in addition to any other requirements and  
33 qualifications specified in this Act and by rule, the Authority

1 shall also consider the improvement of the geographic diversity  
2 of the developments under this Section among the decision  
3 criteria.

4 (c) The Authority must use at least 10% of the funds  
5 generated for the Program in any given year for grants under  
6 this Section. In any given year, the Authority is not required  
7 to spend the 10% of its funds that accrues in that year but may  
8 add all or part of that 10% to the 10% allocation for  
9 subsequent years for the purpose of funding grants under this  
10 Section.

11 Section 25. Criteria for awarding grants. The Authority  
12 shall adopt rules to govern the awarding of grants and the  
13 continuing eligibility for grants under Sections 15 and 20.  
14 Requests for proposals under Section 20 must specify that  
15 proposals must satisfy these rules. The rules must contain and  
16 be consistent with, but need not be limited to, the following  
17 criteria:

18 (1) Eligibility for tenancy in the units supported by  
19 grants to local administering agencies must be limited to  
20 households with gross income at or below 30% of the median  
21 family income for the area in which the grant will be made.  
22 Fifty percent of the units that are supported by any grant  
23 must be set aside for households whose income is at or  
24 below 15% of the area median family income for the area in  
25 which the grant will be made, provided that local  
26 administering agencies may negotiate flexibility in this  
27 set-aside with the Authority if they demonstrate that they  
28 have been unable to locate sufficient tenants in this lower  
29 income range. Income eligibility for units supported by  
30 grants to local administering agencies must be verified  
31 annually by landlords and submitted to local administering  
32 agencies. Tenants must have sufficient income to be able to  
33 afford the tenant's share of the rent. For grants awarded

1 under Section 20, eligibility for tenancy in units  
2 supported by grants must be limited to households with a  
3 gross income at or below 30% of area median family income  
4 for the area in which the grant will be made. Fifty percent  
5 of the units that are supported by any grant must be set  
6 aside for households whose income is at or below 15% of the  
7 median family income for the area in which the grant will  
8 be made, provided that developers may negotiate  
9 flexibility in this set-aside with the Authority or  
10 municipality as defined in subsection (b) of Section 10 if  
11 it demonstrates that it has been unable to locate  
12 sufficient tenants in this lower income range. The  
13 Authority shall determine what sources qualify as a  
14 tenant's income.

15 (2) Local administering agencies must include  
16 2-bedroom, 3-bedroom, and 4-bedroom units among those  
17 intended to be supported by grants under the program. In  
18 grants under Section 15, the precise number of these units  
19 among all the units intended to be supported by a grant  
20 must be based on need in the community for larger units and  
21 other factors that the Authority specifies in rules. The  
22 local administering agency must specify the basis for the  
23 numbers of these units that are proposed for support under  
24 a grant. Local administering agencies must make a good  
25 faith effort to comply with this allocation of unit sizes.  
26 In grants awarded under Section 20, developers and the  
27 Authority or municipality, as defined in subsection (b) of  
28 Section 10, shall negotiate the numbers and sizes of units  
29 to be built in a project and supported by the grant.

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

1           (4) Local administering agencies and developers must  
2 specify how vacancies in units supported by a grant must be  
3 advertised and they must include provisions for outreach to  
4 local homeless shelters, organizations that work with  
5 people with disabilities, and others interested in  
6 affordable housing.

7           (5) The local administering agency or developer must  
8 establish a schedule for the tenant's rental obligation for  
9 units supported by a grant. The tenant's share of the rent  
10 must be a flat amount, calculated annually, based on the  
11 size of the unit and the household's income category. In  
12 establishing the schedule for the tenant's rental  
13 obligation, the local administering agency or developer  
14 must use 30% of gross income within an income range as a  
15 guide, and it may charge an additional or lesser amount.

16           (6) The amount of the subsidy provided under a grant  
17 for a unit must be the difference between the amount of the  
18 tenant's obligation and the total amount of rent for the  
19 unit. The total amount of rent for the unit must be  
20 negotiated between the local administering authority and  
21 the landlord under Section 15, or between the Authority or  
22 municipality, as defined in subsection (b) of Section 10,  
23 and the developer under Section 20, using comparable rents  
24 for units of comparable size and condition in the  
25 surrounding community as a guideline.

26           (7) Local administering agencies and developers,  
27 pursuant to criteria the Authority develops in rules, must  
28 ensure that there are procedures in place to maintain the  
29 safety and habitability of units supported under grants.  
30 Local administering agencies must inspect units before  
31 supporting them under a grant awarded under Section 15.

32           (8) Local administering agencies must provide or  
33 ensure that tenants are provided with a "bill of rights"  
34 with their lease setting forth local landlord-tenant laws



1 and procedures and contact information for the local  
2 administering agency.

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

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

16 (11) In order to plan for periodic fluctuations in  
17 program revenue, the Authority shall establish by rule a  
18 mechanism for establishing a reserve fund and the level of  
19 funding that shall be held in reserve either by the  
20 Authority or by local administering agencies.

21 Section 85. The State Finance Act is amended by adding  
22 Section 5.640 as follows:

23 (30 ILCS 105/5.640 new)

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

25 Section 90. The Counties Code is amended by changing  
26 Sections 3-5018 and 4-12002 as follows:

27 (55 ILCS 5/3-5018) (from Ch. 34, par. 3-5018)

28 Sec. 3-5018. Fees. The recorder elected as provided for in  
29 this Division shall receive such fees as are or may be provided  
30 for him by law, in case of provision therefor: otherwise he

1 shall receive the same fees as are or may be provided in this  
2 Section, except when increased by county ordinance pursuant to  
3 the provisions of this Section, to be paid to the county clerk  
4 for his services in the office of recorder for like services.

5 For recording deeds or other instruments \$12 for the first  
6 4 pages thereof, plus \$1 for each additional page thereof, plus  
7 \$1 for each additional document number therein noted. The  
8 aggregate minimum fee for recording any one instrument shall  
9 not be less than \$12.

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

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

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

33 For certified copies of records the same fees as for  
34 recording, but in no case shall the fee for a certified copy of

1 a map or plat of an addition, subdivision or otherwise exceed  
2 \$10.

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

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

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

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

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

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

34 (5) The document shall not have any attachment stapled

1           or otherwise affixed to any page.

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

7           The county board of any county may provide for an  
8           additional charge of \$3 for filing every instrument, paper, or  
9           notice for record, (1) in order to defray the cost of  
10          converting the county recorder's document storage system to  
11          computers or micrographics and (2) in order to defray the cost  
12          of providing access to records through the global information  
13          system known as the Internet.

14          A special fund shall be set up by the treasurer of the  
15          county and such funds collected pursuant to Public Act 83-1321  
16          shall be used (1) for a document storage system to provide the  
17          equipment, materials and necessary expenses incurred to help  
18          defray the costs of implementing and maintaining such a  
19          document records system and (2) for a system to provide  
20          electronic access to those records.

21          The county board of any county that provides and maintains  
22          a countywide map through a Geographic Information System (GIS)  
23          may provide for an additional charge of \$3 for filing every  
24          instrument, paper, or notice for record (1) in order to defray  
25          the cost of implementing or maintaining the county's Geographic  
26          Information System and (2) in order to defray the cost of  
27          providing electronic access to the county's Geographic  
28          Information System records. Of that amount, \$2 must be  
29          deposited into a special fund set up by the treasurer of the  
30          county, and any moneys collected pursuant to this amendatory  
31          Act of the 91st General Assembly and deposited into that fund  
32          must be used solely for the equipment, materials, and necessary  
33          expenses incurred in implementing and maintaining a Geographic  
34          Information System and in order to defray the cost of providing

1 electronic access to the county's Geographic Information  
2 System records. The remaining \$1 must be deposited into the  
3 recorder's special funds created under Section 3-5005.4. The  
4 recorder may, in his or her discretion, use moneys in the funds  
5 created under Section 3-5005.4 to defray the cost of  
6 implementing or maintaining the county's Geographic  
7 Information System and to defray the cost of providing  
8 electronic access to the county's Geographic Information  
9 System records.

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

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

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

32 On the 15th day of each month, each county recorder shall  
33 report to the Department of Revenue, on a form prescribed by  
34 the Department, the number of real estate-related documents

1 recorded for which the Rental Housing Support Program State  
2 surcharge was collected. Each recorder shall submit \$9 of each  
3 surcharge collected in the preceding month to the Department of  
4 Revenue and the Department shall deposit these amounts in the  
5 Rental Housing Support Program Fund. Subject to appropriation,  
6 amounts in the Fund may be expended only for the purpose of  
7 funding and administering the Rental Housing Support Program.

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

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

30 A statement of the costs of providing each service, program  
31 and activity shall be prepared by the county board. All  
32 supporting documents shall be public record and subject to  
33 public examination and audit. All direct and indirect costs, as  
34 defined in the United States Office of Management and Budget

1 Circular A-87, may be included in the determination of the  
2 costs of each service, program and activity.

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

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

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

12 For recording deeds or other instruments \$20 for the first  
13 2 pages thereof, plus \$2 for each additional page thereof. The  
14 aggregate minimum fee for recording any one instrument shall  
15 not be less than \$20.

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

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

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

33 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.



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

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

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

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

20 The recorder shall not collect the Rental Housing Support  
21 Program State surcharge from any unit of local government or  
22 any school district.

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

33 On the 15th day of each month, each county recorder shall  
34 report to the Department of Revenue, on a form prescribed by

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

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

12 The fee requirements of this Section apply to units of  
13 local government and school districts.

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

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

25 Section 99. Effective date. This Act takes effect July 1,  
26 2005."