



Rep. Barbara Flynn Currie

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09700SB3479ham003

LRB097 18737 KTG 73099 a

1 AMENDMENT TO SENATE BILL 3479

2 AMENDMENT NO. \_\_\_\_\_. Amend Senate Bill 3479, AS AMENDED,  
3 by replacing everything after the enacting clause with the  
4 following:

5 "Section 5. The Counties Code is amended by changing  
6 Sections 3-5018 and 4-12002 as follows:

7 (55 ILCS 5/3-5018) (from Ch. 34, par. 3-5018)

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

1           For recording deeds or other instruments, \$13 ~~\$12~~ for the  
2 first 4 pages thereof, plus \$1 for each additional page  
3 thereof, plus \$1 for each additional document number therein  
4 noted. The aggregate minimum fee for recording any one  
5 instrument shall not be less than \$13. The additional dollar  
6 authorized by this amendatory Act of the 97th General Assembly  
7 shall be over and above the amount set by county ordinance.  
8 Fifty cents of the additional dollar shall be deposited into  
9 the county's general revenue fund. Fifty cents of the  
10 additional dollar shall be deposited into the Recorder's  
11 Automation Fund and may not be appropriated or expended for any  
12 other purpose. The amounts available to the recorder for  
13 expenditure from the additional dollar authorized by this  
14 amendatory Act of the 97th General Assembly shall not offset or  
15 reduce any other county appropriations or funding for the  
16 office of the recorder. ~~\$12.~~

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

21           For recording assignments of mortgages, leases or liens,  
22 \$13 ~~\$12~~ for the first 4 pages thereof, plus \$1 for each  
23 additional page thereof. However, except for leases and liens  
24 pertaining to oil, gas and other minerals, whenever a mortgage,  
25 lease or lien assignment assigns more than one mortgage, lease  
26 or lien document, a \$7 fee shall be charged for the recording

1 of each such mortgage, lease or lien document after the first  
2 one.

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

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

1 or (iii) by means of Internet access pursuant to Section  
2 5-1106.1.

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

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

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

1 contrasting colors if they will reproduce clearly.

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

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

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

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

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

26 A special fund shall be set up by the treasurer of the

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

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

1 Information System and to defray the cost of providing  
2 electronic access to the county's Geographic Information  
3 System records.

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

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

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

26 On the 15th day of each month, each county recorder shall

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

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

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



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

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

13 (Source: P.A. 96-1356, eff. 7-28-10.)

14 (55 ILCS 5/4-12002) (from Ch. 34, par. 4-12002)

15 Sec. 4-12002. Fees of recorder in third class counties. The  
16 fees of the recorder in counties of the third class for  
17 recording deeds or other instruments in writing and maps of  
18 plats of additions, subdivisions or otherwise, and for  
19 certifying copies of records, shall be paid in advance and  
20 shall be as follows:

21 For recording deeds or other instruments \$21 ~~\$20~~ for the  
22 first 2 pages thereof, plus \$2 for each additional page  
23 thereof. The aggregate minimum fee for recording any one  
24 instrument shall not be less than \$21. The additional dollar  
25 authorized by this amendatory Act of the 97th General Assembly

1 shall be over and above the amount set by county ordinance.  
2 Fifty cents of the additional dollar shall be deposited into  
3 the county's general revenue fund. Fifty cents of the  
4 additional dollar shall be deposited into the Recorder's  
5 Automation Fund and may not be appropriated or expended for any  
6 other purpose. The amounts available to the recorder for  
7 expenditure from the additional dollar authorized by this  
8 amendatory Act of the 97th General Assembly shall not offset or  
9 reduce any other county appropriations or funding for the  
10 office of the recorder. ~~\$20.~~

11 For recording deeds or other instruments wherein the  
12 premises affected thereby are referred to by document number  
13 and not by legal description the recorder shall charge a fee of  
14 \$4 in addition to that hereinabove referred to for each  
15 document number therein noted.

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

24 For recording maps or plats of additions, subdivisions or  
25 otherwise (including the spreading of the same of record in  
26 well bound books) \$100 plus \$2 for each tract, parcel or lot

1 contained therein.

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 \$200.

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

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

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

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

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

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

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

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

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

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

21          The recorder shall collect a \$9 ~~\$10~~ Rental Housing Support  
22          Program State surcharge for the recordation of any real  
23          estate-related document. Payment of the Rental Housing Support  
24          Program State surcharge shall be evidenced by a receipt that  
25          shall be marked upon or otherwise affixed to the real  
26          estate-related document by the recorder. The form of this

1 receipt shall be prescribed by the Department of Revenue and  
2 the receipts shall be issued by the Department of Revenue to  
3 each county recorder.

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

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

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

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

4 The fee requirements of this Section apply to units of  
5 local government and school districts.

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

16 (Source: P.A. 93-671, eff. 6-1-04; 94-118, eff. 7-5-05.)

17 Section 10. The Rental Housing Support Program Act is  
18 amended by changing Section 5 as follows:

19 (310 ILCS 105/5)

20 Sec. 5. Legislative findings and purpose. The General  
21 Assembly finds that in many parts of this State, large numbers  
22 of citizens are faced with the inability to secure affordable  
23 rental housing. Due to either insufficient wages or a shortage  
24 of affordable rental housing stock, or both, many families have

1 difficulty securing decent housing, are subjected to  
2 overcrowding, pay too large a portion of their total monthly  
3 income for housing and consequently suffer the lack of other  
4 basic needs, live in substandard or unhealthy housing, or  
5 experience chronic housing instability. Instability and  
6 inadequacy in housing limits the employability and  
7 productivity of many citizens, adversely affects family health  
8 and stress levels, and impedes children's ability to learn;  
9 such instability produces corresponding drains on public  
10 resources and contributes to an overall decline in real estate  
11 values. Unaffordable rental rates lead to frequent tenant  
12 turnover and difficulty filling vacancies, resulting in  
13 unstable income streams for rental property owners, the limited  
14 ability of owners to properly maintain their properties,  
15 substandard rental housing, and greater rates of foreclosure.  
16 High tenant turnover, poorly maintained properties, vacant and  
17 abandoned properties, and overcrowded housing negatively  
18 impact the safety and health of communities and the real estate  
19 values within such communities. Among others, the program  
20 created by this Act benefits (i) all individuals who record  
21 real estate related documents by helping to stabilize real  
22 estate values in the State, (ii) rental property owners by  
23 subsidizing the portion of rent that many of their tenants are  
24 unable to pay, (iii) those individuals who own real estate in  
25 the State by providing an option for affordable rental housing  
26 should they one day face foreclosure, and (iv) tenants who

1 participate in the program by providing them with rental  
2 assistance and the ability to achieve financial stability so  
3 that they are able to become property owners themselves. It is  
4 the purpose of this Act to create a State program to help  
5 localities address the need for decent, affordable, permanent  
6 rental housing.

7 (Source: P.A. 97-892, eff. 8-3-12.)

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