

1 AN ACT concerning counties.

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

4 Section 5. The Counties Code is amended by changing
5 Sections 3-5018 and 3-5036 as follows:

6 (55 ILCS 5/3-5018) (from Ch. 34, par. 3-5018)

7 (Text of Section before amendment by P.A. 91-893)

8 Sec. 3-5018. Fees. The recorder elected as provided for
9 in this Division shall receive such fees as are or may be
10 provided for him by law, in case of provision therefor:
11 otherwise he shall receive the same fees as are or may be
12 provided in this Section, except when increased by county
13 ordinance pursuant to the provisions of this Section, to be
14 paid to the county clerk for his services in the office of
15 recorder for like services. No filing fee shall be charged
16 for providing informational copies of financing statements to
17 the recorder pursuant to subsection (8) of Section 9-403 of
18 the Uniform Commercial Code.

19 For recording deeds or other instruments \$12 for the
20 first 4 pages thereof, plus \$1 for each additional page
21 thereof, plus \$1 for each additional document number therein
22 noted. The aggregate minimum fee for recording any one
23 instrument shall not be less than \$12.

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

29 For recording assignments of mortgages, leases or liens
30 \$12 for the first 4 pages thereof, plus \$1 for each
31 additional page thereof. However, except for leases and

1 liens pertaining to oil, gas and other minerals, whenever a
2 mortgage, lease or lien assignment assigns more than one
3 mortgage, lease or lien document, a \$7 fee shall be charged
4 for the recording of each such mortgage, lease or lien
5 document after the first one.

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

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

22 Each certificate of such recorder of the recording of the
23 deed or other writing and of the date of recording the same
24 signed by such recorder, shall be sufficient evidence of the
25 recording thereof, and such certificate including the
26 indexing of record, shall be furnished upon the payment of
27 the fee for recording the instrument, and no additional fee
28 shall be allowed for the certificate or indexing.

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

34 (1) The document shall consist of one or more

1 individual sheets measuring 8.5 inches by 11 inches, not
 2 permanently bound and not a continuous form. Graphic
 3 displays accompanying a document to be recorded that
 4 measure up to 11 inches by 17 inches shall be recorded
 5 without charging an additional fee.

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

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

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

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

22 A document that does not conform to these standards shall not
 23 be recorded except upon payment of the additional fee
 24 required under this paragraph. This paragraph, as amended by
 25 this amendatory Act of 1995, applies only to documents dated
 26 after the effective date of this amendatory Act of 1995.

27 The county board of any county may provide for an
 28 additional charge of \$3 for filing every instrument, paper,
 29 or notice for record, in order to defray the cost of the
 30 county recorder's operations relating to computer,
 31 micrographics, or any other means of automation of books and
 32 records. ~~converting-the-county--recorder's--document--storage~~
 33 ~~system-to-computers-or-micrographics.~~

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

1 county and such funds collected pursuant to the preceding
 2 paragraph Public--Act--83-1321 shall be used solely for the
 3 costs and necessary expenses incurred by a county recorder to
 4 implement and maintain the automation of books and records by
 5 computer, micrographics, or any other means, including but
 6 not limited to electronic interface allowing public access to
 7 these records over the World Wide Web. ~~a--document--storage~~
 8 ~~system--to--provide--the--equipment,--materials--and--necessary~~
 9 ~~expenses--incurred--to--help--defray--the--costs--of--implementing~~
 10 ~~and--maintaining--such--a--document--records--system.~~

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

28 The foregoing fees allowed by this Section are the
 29 maximum fees that may be collected from any officer, agency,
 30 department or other instrumentality of the State. The county
 31 board may, however, by ordinance, increase the fees allowed
 32 by this Section and collect such increased fees from all
 33 persons and entities other than officers, agencies,
 34 departments and other instrumentalities of the State if the

1 increase is justified by an acceptable cost study showing
2 that the fees allowed by this Section are not sufficient to
3 cover the cost of providing the service.

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

12 (Source: P.A. 90-300, eff. 1-1-98; 91-791, eff. 6-9-00;
13 91-886, eff. 1-1-01.)

14 (Text of Section after amendment by P.A. 91-893)

15 Sec. 3-5018. Fees. The recorder elected as provided for
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18 otherwise he shall receive the same fees as are or may be
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33 records. ~~converting--the--county--recorder's--document--storage~~
34 ~~system--to--computers--or--micrographics.~~

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12 activity.

13 (Source: P.A. 90-300, eff. 1-1-98; 91-791, eff. 6-9-00;
14 91-886, eff. 1-1-01; 91-893, eff. 7-1-01; revised 9-7-00.)

15 (55 ILCS 5/3-5036) (from Ch. 34, par. 3-5036)

16 Sec. 3-5036. Records open to inspection. All records,
17 indices, abstract and other books kept in the office of any
18 recorder, and all instruments filed therein and all
19 instruments deposited or left for recordation therein shall,
20 during the office hours, be open for public inspection and
21 examination; and all persons shall have free access for
22 inspection and examination to such records, indices, books
23 and instruments, which the recorders shall be bound to
24 exhibit to those who wish to inspect or examine the same; and
25 all persons shall have the right to take memoranda and
26 abstracts thereof without fee or reward. This Section is
27 subject to the provisions of "The Local Records Act".

28 Records, indices, abstracts, and other books kept in the
29 office of the recorder, and all instruments filed, deposited,
30 or left there for recordation, may be made available on a Web
31 site maintained by the county recorder on the World Wide Web.
32 Making records available on the World Wide Web does not alter
33 or satisfy any duties of the county recorder to keep,

1 maintain, or otherwise make available records of the office
2 as required by law. A reasonable fee may be assessed against
3 any person who may access or copy records from a World Wide
4 Web site maintained by the county recorder.

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

6 Section 95. No acceleration or delay. Where this Act
7 makes changes in a statute that is represented in this Act
8 by text that is not yet or no longer in effect, the use of
9 that text does not accelerate or delay the taking effect of
10 (i) the changes made by this Act or (ii) provisions derived
11 from any other Public Act.