



Rep. Julie Hamos

**Filed: 11/8/2004**

09300SB0520ham002

LRB093 09316 BDD 53995 a

1 AMENDMENT TO SENATE BILL 520

2 AMENDMENT NO. \_\_\_\_\_. Amend Senate Bill 520, AS AMENDED, by  
3 replacing everything after the enacting clause with the  
4 following:

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

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

1 Section 7. Definitions. In this Act:

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

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

6 "Program" means the Rental Housing Support Program.

7 "Real estate-related document" means any recorded document  
8 that affects an interest in real property.

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

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

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

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

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

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

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

11           Section 15. Grants to local administering agencies.

12           (a) Under the program, the Authority shall make grants to  
13 local administering agencies to provide subsidies to landlords  
14 to enable the landlords to charge rent affordable for  
15 low-income tenants. Grants shall also include an amount for the  
16 operating expenses of local administering agencies.

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

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

30           (d) The Authority shall distribute grants to local  
31 administering agencies according to a formula based on U.S.  
32 Census data. The formula shall determine percentages of the  
33 funds to be distributed to the following geographic areas: (i)

1 Chicago; (ii) suburban areas: Cook County (excluding Chicago),  
2 DuPage County, Lake County, Kane County, Will County, and  
3 McHenry County; (iii) small metropolitan areas: Springfield,  
4 Rockford, Peoria, Decatur, Champaign-Urbana,  
5 Bloomington-Normal, Rock Island, DeKalb, Madison County,  
6 Moline, Pekin, Rantoul, and St. Clair County; and (iv) rural  
7 areas, defined as all areas of the State not specifically named  
8 in items (i), (ii), and (iii) of this subsection. A geographic  
9 area's percentage share shall be determined by the total number  
10 of households that have an annual income of less than 50% of  
11 State median income for a household of 4 and that are paying  
12 more than 30% of their income for rent. The geographic  
13 distribution shall be re-determined by the Authority each time  
14 new U.S. Census data becomes available. The Authority shall  
15 phase in any changes to the geographic formula to prevent a  
16 large withdrawal of resources from one area that could  
17 negatively impact households receiving rental housing support.

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

29 (f) In order to maintain consistency for households  
30 receiving rental housing support, the Authority shall, to the  
31 extent possible given funding resources available in the Rental  
32 Housing Support Program, continue to fund local administering  
33 agencies at the same level on an annual basis, unless the  
34 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.

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

25 Section 25. Criteria for awarding grants. The Authority  
26 shall adopt rules to govern the awarding of grants and the  
27 continuing eligibility for grants under Sections 15 and 20.  
28 Requests for proposals under Section 20 must specify that  
29 proposals must satisfy these rules. The rules must contain and  
30 be consistent with, but need not be limited to, the following  
31 criteria:

32 (1) Eligibility for tenancy in the units supported by

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

30 (2) Local administering agencies must include  
31 2-bedroom, 3-bedroom, and 4-bedroom units among those  
32 intended to be supported by grants under the program. In  
33 grants under Section 15, the precise number of these units  
34 among all the units intended to be supported by a grant

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

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

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

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

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

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

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

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

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

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

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



1 Authority or by local administering agencies.

2 Section 85. The State Finance Act is amended by adding  
3 Section 5.640 as follows:

4 (30 ILCS 105/5.640 new)

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

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

8 (55 ILCS 5/3-5018) (from Ch. 34, par. 3-5018)

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

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

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

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

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

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

14 For certified copies of records the same fees as for  
15 recording, but in no case shall the fee for a certified copy of  
16 a map or plat of an addition, subdivision or otherwise exceed  
17 \$10.

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

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

30 (1) The document shall consist of one or more  
31 individual sheets measuring 8.5 inches by 11 inches, not  
32 permanently bound and not a continuous form. Graphic  
33 displays accompanying a document to be recorded that  
34 measure up to 11 inches by 17 inches shall be recorded

1 without charging an additional fee.

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

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

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

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

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

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

29 A special fund shall be set up by the treasurer of the  
30 county and such funds collected pursuant to Public Act 83-1321  
31 shall be used (1) for a document storage system to provide the  
32 equipment, materials and necessary expenses incurred to help  
33 defray the costs of implementing and maintaining such a  
34 document records system and (2) for a system to provide

1 electronic access to those records.

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

25 The recorder shall collect an \$11 Rental Housing Support  
26 Program State surcharge for the recordation of any real  
27 estate-related document. Payment of the Rental Housing Support  
28 Program State surcharge shall be evidenced by a receipt that  
29 shall be marked upon or otherwise affixed to the real  
30 estate-related document by the recorder. The form of this  
31 receipt shall be prescribed by the Department of Revenue and  
32 the receipts shall be issued by the Department of Revenue to  
33 each county recorder. The surcharge moneys collected shall be  
34 distributed as follows:

1           (1) One dollar of each surcharge shall be deposited  
2           into the county's general revenue fund.

3           (2) One dollar of each surcharge shall be deposited  
4           into a special account of the county in which it was  
5           collected, to be known as the County Recorder Housing  
6           Surcharge Account. Notwithstanding any other law to the  
7           contrary, all amounts in that Account are hereby  
8           appropriated to the county recorder on a continuing basis  
9           for expenditure by the county recorder to be used for the  
10           costs of administering the Rental Housing Support Program  
11           State Surcharge and any other legal expenditures for the  
12           operation of the office of the recorder. Those amounts may  
13           not be appropriated or expended for any other purpose. The  
14           amounts available to the recorder for expenditure from that  
15           Account shall not offset or reduce any other county  
16           appropriations or funding of the office of the recorder.

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

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

32           The foregoing fees allowed by this Section are the maximum  
33           fees that may be collected from any officer, agency, department  
34           or other instrumentality of the State. The county board may,

1 however, by ordinance, increase the fees allowed by this  
2 Section and collect such increased fees from all persons and  
3 entities other than officers, agencies, departments and other  
4 instrumentalities of the State if the increase is justified by  
5 an acceptable cost study showing that the fees allowed by this  
6 Section are not sufficient to cover the cost of providing the  
7 service. Regardless of any other provision in this Section, the  
8 maximum fee that may be collected from the Department of  
9 Revenue for filing or indexing a lien, certificate of lien  
10 release or subordination, or any other type of notice or other  
11 documentation affecting or concerning a lien is \$5. Regardless  
12 of any other provision in this Section, the maximum fee that  
13 may be collected from the Department of Revenue for indexing  
14 each additional name in excess of one for any lien, certificate  
15 of lien release or subordination, or any other type of notice  
16 or other documentation affecting or concerning a lien is \$1.

17 A statement of the costs of providing each service, program  
18 and activity shall be prepared by the county board. All  
19 supporting documents shall be public record and subject to  
20 public examination and audit. All direct and indirect costs, as  
21 defined in the United States Office of Management and Budget  
22 Circular A-87, may be included in the determination of the  
23 costs of each service, program and activity.

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

26 (55 ILCS 5/4-12002) (from Ch. 34, par. 4-12002)

27 Sec. 4-12002. Fees of recorder in third class counties. The  
28 fees of the recorder in counties of the third class for  
29 recording deeds or other instruments in writing and maps of  
30 plats of additions, subdivisions or otherwise, and for  
31 certifying copies of records, shall be paid in advance and  
32 shall be as follows:

33 For recording deeds or other instruments \$20 for the first

1 2 pages thereof, plus \$2 for each additional page thereof. The  
2 aggregate minimum fee for recording any one instrument shall  
3 not be less than \$20.

4 For recording deeds or other instruments wherein the  
5 premises affected thereby are referred to by document number  
6 and not by legal description the recorder shall charge a fee of  
7 \$4 in addition to that hereinabove referred to for each  
8 document number therein noted.

9 For recording deeds or other instruments wherein more than  
10 one tract, parcel or lot is described and such additional  
11 tract, or tracts, parcel or parcels, lot or lots is or are  
12 described therein as falling in a separate or different  
13 addition or subdivision the recorder shall charge as an  
14 additional fee, to that herein provided, the sum of \$2 for each  
15 additional addition or subdivision referred to in such deed or  
16 instrument.

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

21 For certified copies of records the same fees as for  
22 recording, but in no case shall the fee for a certified copy of  
23 a map or plat of an addition, subdivision or otherwise exceed  
24 \$200.

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

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

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

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

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

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

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

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

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

27 A document that does not conform to these standards shall not  
28 be recorded except upon payment of the additional fee required  
29 under this paragraph. This paragraph, as amended by this  
30 amendatory Act of 1995, applies only to documents dated after  
31 the effective date of this amendatory Act of 1995.

32           The recorder shall collect an \$11 Rental Housing Support  
33 Program State surcharge for the recordation of any real  
34 estate-related document. Payment of the Rental Housing Support



1 Program State surcharge shall be evidenced by a receipt that  
2 shall be marked upon or otherwise affixed to the real  
3 estate-related document by the recorder. The form of this  
4 receipt shall be prescribed by the Department of Revenue and  
5 the receipts shall be issued by the Department of Revenue to  
6 each county recorder. The surcharge moneys collected shall be  
7 distributed as follows:

8 (1) One dollar of each surcharge shall be deposited  
9 into the county's general revenue fund.

10 (2) One dollar of each surcharge shall be deposited  
11 into a special account of the county in which it was  
12 collected, to be known as the County Recorder Housing  
13 Surcharge Account. Notwithstanding any other law to the  
14 contrary, all amounts in that Account are hereby  
15 appropriated to the county recorder on a continuing basis  
16 for expenditure by the county recorder to be used for the  
17 costs of administering the Rental Housing Support Program  
18 State Surcharge and any other legal expenditures for the  
19 operation of the office of the recorder. Those amounts may  
20 not be appropriated or expended for any other purpose. The  
21 amounts available to the recorder for expenditure from that  
22 Account shall not offset or reduce any other county  
23 appropriations or funding of the office of the recorder.

24 (3) On the 15th day of each month, each county recorder  
25 shall report to the Department of Revenue, on a form  
26 prescribed by the Department, the number of real  
27 estate-related documents recorded for which the Rental  
28 Housing Support Program State surcharge was collected.  
29 Each recorder shall submit \$9 of each surcharge collected  
30 in the preceding month to the Department of Revenue and the  
31 Department shall deposit these amounts in the Rental  
32 Housing Support Program Fund. Subject to appropriation,  
33 amounts in the Fund may be expended only for the purpose of  
34 funding and administering the Rental Housing Support

1           Program.

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

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

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

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

18           Section 99. Effective date. This Act takes effect July 1,  
19 2005."