



## 101ST GENERAL ASSEMBLY

### State of Illinois

2019 and 2020

SB2092

Introduced 2/15/2019, by Sen. Omar Aquino

#### SYNOPSIS AS INTRODUCED:

55 ILCS 5/3-5018	from Ch. 34, par. 3-5018
55 ILCS 5/3-5018.1	
55 ILCS 5/4-12002	from Ch. 34, par. 4-12002
55 ILCS 5/4-12002.1	

Amends the Counties Code. Changes the Rental Housing Support Program State surcharge a county recorder must collect on each real-estate related document from \$9 to \$18. Makes conforming changes.

LRB101 09008 AWJ 54101 b

FISCAL NOTE ACT  
MAY APPLY

HOUSING  
AFFORDABILITY  
IMPACT NOTE ACT  
MAY APPLY

1 AN ACT concerning local government.

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, 3-5018.1, 4-12002, and 4-12002.1 as follows:

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

7 Sec. 3-5018. Traditional fee schedule. Except as provided  
8 for in Sections 3-5018.1, 4-12002, and 4-12002.1, the recorder  
9 elected as provided for in this Division shall receive such  
10 fees as are or may be provided for him or her by law, in case of  
11 provision therefor: otherwise he or she shall receive the same  
12 fees as are or may be provided in this Section, except when  
13 increased by county ordinance or resolution pursuant to the  
14 provisions of this Section, to be paid to the county clerk for  
15 his or her services in the office of recorder for like  
16 services.

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

22 For recording deeds or other instruments wherein the  
23 premises affected thereby are referred to by document number

1 and not by legal description, a fee of \$1 in addition to that  
2 hereinabove referred to for each document number therein noted.

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

10 For recording any document that affects an interest in real  
11 property other than documents which solely affect or relate to  
12 an easement for water, sewer, electricity, gas, telephone or  
13 other public service, the recorder shall charge a fee of \$1 per  
14 document to all filers of documents not filed by any State  
15 agency, any unit of local government, or any school district.  
16 Fifty cents of the \$1 fee hereby established shall be deposited  
17 into the County General Revenue Fund. The remaining \$0.50 shall  
18 be deposited into the Recorder's Automation Fund and may not be  
19 appropriated or expended for any other purpose. The additional  
20 amounts available to the recorder for expenditure from the  
21 Recorder's Automation Fund shall not offset or reduce any other  
22 county appropriations or funding for the office of the  
23 recorder.

24 For recording maps or plats of additions or subdivisions  
25 approved by the county or municipality (including the spreading  
26 of the same of record in map case or other proper books) or

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

10 For non-certified copies of records, an amount not to  
11 exceed one-half of the amount provided in this Section for  
12 certified copies, according to a standard scale of fees,  
13 established by county ordinance or resolution and made public.  
14 The provisions of this paragraph shall not be applicable to any  
15 person or entity who obtains non-certified copies of records in  
16 the following manner: (i) in bulk for all documents recorded on  
17 any given day in an electronic or paper format for a negotiated  
18 amount less than the amount provided for in this paragraph for  
19 non-certified copies, (ii) under a contractual relationship  
20 with the recorder for a negotiated amount less than the amount  
21 provided for in this paragraph for non-certified copies,  
22 or (iii) by means of Internet access pursuant to Section  
23 5-1106.1.

24 For certified copies of records, the same fees as for  
25 recording, but in no case shall the fee for a certified copy of  
26 a map or plat of an addition, subdivision or otherwise exceed

1 \$10.

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

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

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

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

23 (3) The document shall be on white paper of not less  
24 than 20-pound weight and shall have a clean margin of at  
25 least one-half inch on the top, the bottom, and each side.  
26 Margins may be used for non-essential notations that will

1 not affect the validity of the document, including but not  
2 limited to form numbers, page numbers, and customer  
3 notations.

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

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

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

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

21 A special fund shall be set up by the treasurer of the  
22 county and such funds collected pursuant to Public Act 83-1321  
23 shall be used (1) for a document storage system to provide the  
24 equipment, materials and necessary expenses incurred to help  
25 defray the costs of implementing and maintaining such a  
26 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 or automated access to the county's  
9 Geographic Information System or property records. Of that  
10 amount, \$2 must be deposited into a special fund set up by the  
11 treasurer of the county, and any moneys collected pursuant to  
12 this amendatory Act of the 91st General Assembly and deposited  
13 into that fund must be used solely for the equipment,  
14 materials, and necessary expenses incurred in implementing and  
15 maintaining a Geographic Information System and in order to  
16 defray the cost of providing electronic access to the county's  
17 Geographic Information System records. The remaining \$1 must be  
18 deposited into the recorder's special funds created under  
19 Section 3-5005.4. The recorder may, in his or her discretion,  
20 use moneys in the funds created under Section 3-5005.4 to  
21 defray the cost of implementing or maintaining the county's  
22 Geographic Information System and to defray the cost of  
23 providing electronic access to the county's Geographic  
24 Information System records.

25 The recorder shall collect a \$18 ~~\$9~~ Rental Housing Support  
26 Program State surcharge for the recordation of any real

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

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

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

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

25 The foregoing fees allowed by this Section are the maximum  
26 fees that may be collected from any officer, agency, department



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

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

26 (Source: P.A. 100-271, eff. 8-22-17; 100-1034, eff. 1-1-19.)

1 (55 ILCS 5/3-5018.1)

2 Sec. 3-5018.1. Predictable fee schedule.

3 (a) As used in this Section:

4 "Nonstandard document" means:

5 (1) a document that creates a division of a then active  
6 existing tax parcel identification number;

7 (2) a document recorded pursuant to the Uniform  
8 Commercial Code;

9 (3) a document which is non-conforming, as described in  
10 paragraphs (1) through (5) of Section 3-5018;

11 (4) a State lien or a federal lien;

12 (5) a document making specific reference to more than 5  
13 tax parcel identification numbers in the county in which it  
14 is presented for recording; or

15 (6) a document making specific reference to more than 5  
16 other document numbers recorded in the county in which it  
17 is presented for recording.

18 "Standard document" means any document other than a  
19 nonstandard document.

20 (b) On or before January 1, 2019, a county shall adopt and  
21 implement, by ordinance or resolution, a predictable fee  
22 schedule that eliminates surcharges or fees based on the  
23 individual attributes of a standard document to be recorded.  
24 The initial predictable fee schedule approved by a county board  
25 shall be set only as allowed under subsections (c) and (d) and

1 any subsequent predictable fee schedule approved by a county  
2 board shall be set only as allowed under subsection (e). Except  
3 as to the recording of standard documents, the fees imposed by  
4 Section 3-5018 shall remain in effect. Under a predictable fee  
5 schedule, no charge shall be based on: page count; number,  
6 length, or type of legal descriptions; number of tax  
7 identification or other parcel identifying code numbers;  
8 number of common addresses; number of references contained as  
9 to other recorded documents or document numbers; or any other  
10 individual attribute of the document except as expressly  
11 provided in this Section. The fee charged under this Section  
12 shall be inclusive of all county and State fees that the county  
13 may elect or is required to impose or adjust, including, but  
14 not limited to, GIS fees, automation fees, document storage  
15 fees, and the Rental Housing Support Program State surcharge.

16 A predictable fee schedule ordinance or resolution adopted  
17 under this Section shall list standard document fees, including  
18 document class flat fees as required by subsection (c), and  
19 non-standard document fees.

20 Before approval of an ordinance or resolution under this  
21 Section, the recorder or county clerk shall post a notice in  
22 their office at least 2 weeks prior, but not more than 4 weeks  
23 prior, to the public meeting at which the ordinance or  
24 resolution may be adopted. The notice shall contain the  
25 proposed ordinance or resolution number, if any, the proposed  
26 document class flat fees for each classification, and a

1 reference to this Section or this amendatory Act of the 100th  
2 General Assembly.

3 A predictable fee schedule takes effect 60 days after an  
4 ordinance or resolution is adopted.

5 (c) Pursuant to an ordinance or resolution adopted under  
6 subsection (b), the recorder elected as provided for in this  
7 Division shall receive such fees as are or may be provided for  
8 him or her by law, in case of provision thereof: otherwise he  
9 or she shall receive the same fees as are or may be provided in  
10 this Section except when increased by county ordinance or  
11 resolution pursuant to the provisions of this Section, to be  
12 paid to the county clerk for his or her services in the office  
13 of recorder for like services. For the purposes of the fee  
14 charged, the ordinance or resolution shall divide standard  
15 documents into the following classifications and shall  
16 establish a single, all inclusive, county and State-imposed  
17 aggregate fee charged for each such classification of document  
18 at the time of recording for that document, which is called the  
19 document class flat fee. A standard document is not subject to  
20 more than one classification at the time of recording for the  
21 purposes of imposing any fee. Each standard document shall fall  
22 within one of the following document class flat fee  
23 classifications and fees for each document class shall be  
24 charged only as allowed by this subsection (c) and subsection  
25 (d):

26 (1) Deeds. The aggregate fee for recording deeds shall

1 not be less than \$30 ~~\$21~~ (being a minimum \$12 county fee  
2 plus \$18 ~~\$9~~ for the Rental Housing Support Program State  
3 surcharge). Inclusion of language in the deed as to any  
4 restriction; covenant; lien; oil, gas, or other mineral  
5 interest; easement; lease; or a mortgage shall not alter  
6 the classification of a document as a deed.

7 (2) Leases, lease amendments, and similar transfer of  
8 interest documents. The aggregate fee for recording  
9 leases, lease amendments, and similar transfers of  
10 interest documents shall not be less than \$30 ~~\$21~~ (being a  
11 minimum \$12 county fee plus \$18 ~~\$9~~ for the Rental Housing  
12 Support Program State surcharge).

13 (3) Mortgages. The aggregate fee for recording  
14 mortgages, including assignments, extensions, amendments,  
15 subordinations, and mortgage releases shall not be less  
16 than \$30 ~~\$21~~ (being a minimum \$12 county fee plus \$18 ~~\$9~~  
17 for the Rental Housing Support Program State surcharge).

18 (4) Easements not otherwise part of another  
19 classification. The aggregate fee for recording easements  
20 not otherwise part of another classification, including  
21 assignments, extensions, amendments, and easement releases  
22 not filed by a State agency, unit of local government, or  
23 school district shall not be less than \$30 ~~\$21~~ (being a  
24 minimum \$12 county fee plus \$18 ~~\$9~~ for the Rental Housing  
25 Support Program State surcharge).

26 (5) Miscellaneous. The aggregate fee for recording

1 documents not otherwise falling within classifications set  
2 forth in paragraphs (1) through (4) and are not nonstandard  
3 documents shall not be less than \$30 ~~\$21~~ (being a minimum  
4 \$12 county fee plus \$18 ~~\$9~~ for the Rental Housing Support  
5 Program State surcharge). Nothing in this subsection shall  
6 preclude an alternate predictable fee schedule for  
7 electronic recording within each of the classifications  
8 set forth in this subsection (c). If the Rental Housing  
9 Support Program State surcharge is amended and the  
10 surcharge is increased or lowered, the aggregate amount of  
11 the document flat fee attributable to the surcharge in the  
12 document may be changed accordingly.

13 (d) If an ordinance or resolution establishing a  
14 predictable fee schedule is adopted pursuant to subsection (b)  
15 and any document class flat fee exceeds \$21, the county board  
16 shall:

17 (1) obtain from the clerk or recorder an analysis of  
18 the average fees collected for the recording of each of the  
19 classifications under subsection (c) based on the 3  
20 previous years of recording data, and, if a cost study has  
21 not been performed, set respective document class flat fees  
22 for each of the 5 document classifications at the average  
23 for that class rounded upward to the next whole dollar  
24 amount; or

25 (2) if a cost study has been completed within the last  
26 3 years that shows \$21 is not sufficient to cover the costs

1 of providing the services related to each document class,  
2 obtain from the clerk or recorder an analysis of the  
3 average fees collected for the recording of each of the  
4 document classifications under subsection (c) from the  
5 date of the cost study and set respective document class  
6 flat fees for each of the 5 document classifications at the  
7 average for that document class rounded upward to the next  
8 whole dollar amount.

9 (e) After a document class flat fee is approved by a county  
10 board under subsection (b), the county board may, by ordinance  
11 or resolution, increase the document class flat fee and collect  
12 the increased fees only if the increase is justified by a cost  
13 study that shows that the fees allowed by subsections (c) and  
14 (d) are not sufficient to cover the cost of providing the  
15 service related to the document class for which the fee is to  
16 be increased. A statement of the costs of providing each  
17 service, program, and activity shall be prepared by the county  
18 board. All supporting documents shall be public record and  
19 subject to public examination and audit. All direct and  
20 indirect costs, as defined in the United States Office of  
21 Management and Budget Circular A-87, may be included in the  
22 determination of the costs of each service, program, and  
23 activity.

24 Nothing in this Section precludes a county board from  
25 adjusting amounts or allocations within a given document class  
26 flat fee as long as the document class flat fee is not

1 increased.

2 (Source: P.A. 100-271, eff. 8-22-17.)

3 (55 ILCS 5/4-12002) (from Ch. 34, par. 4-12002)

4 Sec. 4-12002. Fees of recorder in third class counties.  
5 Except as provided for in Section 4-12002.1, the fees of the  
6 recorder in counties of the third class for recording deeds or  
7 other instruments in writing and maps of plats of additions,  
8 subdivisions or otherwise, and for certifying copies of  
9 records, shall be paid in advance and shall be as follows:

10 For recording deeds or other instruments \$20 for the first  
11 2 pages thereof, plus \$2 for each additional page thereof. The  
12 aggregate minimum fee for recording any one instrument shall  
13 not be less than \$20.

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

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



1 instrument.

2 For recording any document that affects an interest in real  
3 property other than documents which solely affect or relate to  
4 an easement for water, sewer, electricity, gas, telephone or  
5 other public service, the recorder shall charge a fee of \$1 per  
6 document to all filers of documents not filed by any State  
7 agency, any unit of local government, or any school district.  
8 Fifty cents of the \$1 fee hereby established shall be deposited  
9 into the County General Revenue Fund. The remaining \$0.50 shall  
10 be deposited into the County Recorder Document Storage System  
11 Fund and may not be appropriated or expended for any other  
12 purpose. The additional amounts available to the recorder for  
13 expenditure from the County Recorder Document Storage System  
14 Fund shall not offset or reduce any other county appropriations  
15 or funding for the office of the recorder.

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

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

24 For non-certified copies of records, an amount not to  
25 exceed one half of the amount provided herein for certified  
26 copies, according to a standard scale of fees, established by

1 county ordinance and made public.

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

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

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

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

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

22 (3) The document shall be on white paper of not less  
23 than 20-pound weight and shall have a clean margin of at  
24 least one-half inch on the top, the bottom, and each side.  
25 Margins may be used only for non-essential notations that  
26 will not affect the validity of the document, including but

1 not limited to form numbers, page numbers, and customer  
2 notations.

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

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

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

13 The recorder shall collect a \$18 ~~\$9~~ Rental Housing Support  
14 Program State surcharge for the recordation of any real  
15 estate-related document. Payment of the Rental Housing Support  
16 Program State surcharge shall be evidenced by a receipt that  
17 shall be marked upon or otherwise affixed to the real  
18 estate-related document by the recorder. The form of this  
19 receipt shall be prescribed by the Department of Revenue and  
20 the receipts shall be issued by the Department of Revenue to  
21 each county recorder.

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

25 On the 15th day of each month, each county recorder shall  
26 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 \$18 ~~\$9~~ of  
4 each surcharge collected in the preceding month to the  
5 Department of Revenue and the Department shall deposit these  
6 amounts in the Rental Housing Support Program Fund. Subject to  
7 appropriation, amounts in the Fund may be expended only for the  
8 purpose of funding and administering the Rental Housing Support  
9 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 fee requirements of this Section apply to units of  
14 local government and school districts.

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

25 (Source: P.A. 100-1034, eff. 1-1-19.)

1 (55 ILCS 5/4-12002.1)

2 Sec. 4-12002.1. Predictable fee schedule for recordings in  
3 third class counties.

4 (a) As used in this Section:

5 "Nonstandard document" means:

6 (1) a document that creates a division of a then active  
7 existing tax parcel identification number;

8 (2) a document recorded pursuant to the Uniform  
9 Commercial Code;

10 (3) a document which is non-conforming, as described in  
11 paragraphs (1) through (5) of Section 4-12002;

12 (4) a State lien or a federal lien;

13 (5) a document making specific reference to more than 5  
14 tax parcel identification numbers in the county in which it  
15 is presented for recording; or

16 (6) a document making specific reference to more than 5  
17 other document numbers recorded in the county in which it  
18 is presented for recording.

19 "Standard document" means any document other than a  
20 nonstandard document.

21 (b) On or before January 1, 2020, a county shall adopt and  
22 implement, by ordinance or resolution, a predictable fee  
23 schedule that eliminates surcharges or fees based on the  
24 individual attributes of a standard document to be recorded.  
25 The initial predictable fee schedule approved by a county board  
26 shall be set only as allowed under subsection (c) and any

1 subsequent predictable fee schedule approved by a county board  
2 shall be set only as allowed under subsection (d). Except as to  
3 the recording of standard documents, the fees imposed by  
4 Section 4-12002 shall remain in effect. Under a predictable fee  
5 schedule, which only applies to standard documents, no charge  
6 shall be based on: page count; number, length, or type of legal  
7 descriptions; number of tax identification or other parcel  
8 identifying code numbers; number of common addresses; number of  
9 references contained as to other recorded documents or document  
10 numbers; or any other individual attribute of the document  
11 except as expressly provided in this Section. The fee charged  
12 under this Section shall be inclusive of all county and State  
13 fees that the county may elect or is required to impose or  
14 adjust, including, but not limited to, GIS fees, automation  
15 fees, document storage fees, and the Rental Housing Support  
16 Program State surcharge.

17 A predictable fee schedule ordinance or resolution adopted  
18 under this Section shall list standard document fees, including  
19 document class flat fees as required by subsection (c), and  
20 nonstandard document fees.

21 Before approval of an ordinance or resolution under this  
22 Section, the recorder or county clerk shall post a notice in  
23 his or her office at least 2 weeks prior, but not more than 4  
24 weeks prior, to the public meeting at which the ordinance or  
25 resolution may be adopted. The notice shall contain the  
26 proposed ordinance or resolution number, if any, the proposed

1 document class flat fees for each classification, and a  
2 reference to this Section or this amendatory Act of the 100th  
3 General Assembly.

4 A predictable fee schedule takes effect 60 days after an  
5 ordinance or resolution is adopted.

6 (c) Pursuant to an ordinance or resolution adopted under  
7 subsection (b), the recorder elected as provided for in this  
8 Division shall receive such fees as are or may be provided for  
9 him or her by law, in case of provision thereof: otherwise he  
10 or she shall receive the same fees as are or may be provided in  
11 this Section except when increased by county ordinance or  
12 resolution pursuant to the provisions of this Section, to be  
13 paid to the county clerk for his or her services in the office  
14 of recorder for like services. For the purposes of the fee  
15 charged, the ordinance or resolution shall divide standard  
16 documents into the following classifications and shall  
17 establish a single, all-inclusive, county and State-imposed  
18 aggregate fee charged for each such classification of document  
19 at the time of recording for that document, which is called the  
20 document class flat fee. A standard document is not subject to  
21 more than one classification at the time of recording for the  
22 purposes of imposing any fee. Each standard document shall fall  
23 within one of the following document class flat fee  
24 classifications and fees for each document class shall be  
25 charged only as allowed by this subsection (c) and subsection  
26 (d):

1           (1) Deeds. The aggregate fee for recording deeds shall  
2 not be less than \$38 ~~\$29~~ (being a minimum \$20 county fee  
3 plus \$18 ~~\$9~~ for the Rental Housing Support Program State  
4 surcharge). Inclusion of language in the deed as to any  
5 restriction; covenant; lien; oil, gas, or other mineral  
6 interest; easement; lease; or a mortgage shall not alter  
7 the classification of a document as a deed.

8           (2) Leases, lease amendments, and similar transfer of  
9 interest documents. The aggregate fee for recording  
10 leases, lease amendments, and similar transfers of  
11 interest documents shall not be less than \$38 ~~\$29~~ (being a  
12 minimum \$20 county fee plus \$18 ~~\$9~~ for the Rental Housing  
13 Support Program State surcharge).

14           (3) Mortgages. The aggregate fee for recording  
15 mortgages, including assignments, extensions, amendments,  
16 subordinations, and mortgage releases shall not be less  
17 than \$38 ~~\$29~~ (being a minimum \$20 county fee plus \$18 ~~\$9~~  
18 for the Rental Housing Support Program State surcharge).

19           (4) Easements not otherwise part of another  
20 classification. The aggregate fee for recording easements  
21 not otherwise part of another classification, including  
22 assignments, extensions, amendments, and easement releases  
23 not filed by a State agency, unit of local government, or  
24 school district shall not be less than \$38 ~~\$29~~ (being a  
25 minimum \$20 county fee plus \$18 ~~\$9~~ for the Rental Housing  
26 Support Program State surcharge).



1           (5) Miscellaneous. The aggregate fee for recording  
2 documents not otherwise falling within classifications set  
3 forth in paragraphs (1) through (4) and are not nonstandard  
4 documents shall not be less than \$38 ~~\$29~~ (being a minimum  
5 \$20 county fee plus \$18 ~~\$9~~ for the Rental Housing Support  
6 Program State surcharge). Nothing in this subsection shall  
7 preclude an alternate predictable fee schedule for  
8 electronic recording within each of the classifications  
9 set forth in this subsection (c). If the Rental Housing  
10 Support Program State surcharge is amended and the  
11 surcharge is increased or lowered, the aggregate amount of  
12 the document flat fee attributable to the surcharge in the  
13 document may be changed accordingly.

14           (d) After a document class flat fee is approved by a county  
15 board under subsection (b), the county board may, by ordinance  
16 or resolution, increase the document class flat fee and collect  
17 the increased fees if the established fees are not sufficient  
18 to cover the costs of providing the services related to the  
19 document class for which the fee is to be increased.

20           Nothing in this Section precludes a county board from  
21 adjusting amounts or allocations within a given document class  
22 flat fee when the document class flat fee is not increased.

23           (Source: P.A. 100-1034, eff. 1-1-19.)