

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 and 3-5024 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  
11 of provision therefor: otherwise he or she shall receive the  
12 same fees as are or may be provided in this Section, except  
13 when increased by county ordinance or resolution pursuant to  
14 the provisions of this Section, to be paid to the county clerk  
15 for his or her services in the office of recorder for like  
16 services.

17 For recording deeds or other instruments, \$12 for the  
18 first 4 pages thereof, plus \$1 for each additional page  
19 thereof, plus \$1 for each additional document number therein  
20 noted. The aggregate minimum fee for recording any one  
21 instrument shall 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  
3 noted.

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

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

25 For recording maps or plats of additions or subdivisions  
26 approved by the county or municipality (including the

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

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

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

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

3 Each certificate of such recorder of the recording of the  
4 deed or other writing and of the date of recording the same  
5 signed by such recorder, shall be sufficient evidence of the  
6 recording thereof, and such certificate including the indexing  
7 of record, shall be furnished upon the payment of the fee for  
8 recording the instrument, and no additional fee shall be  
9 allowed for the certificate or indexing. A physical or  
10 electronic image of the recorder's stamp satisfies the  
11 signature requirement for recorded instruments prior to, on,  
12 and after the effective date of this amendatory Act of the  
13 102nd General Assembly.

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  
18 following 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  
26 ink, by hand, type, or computer. Signatures and dates may

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

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

4 The recorder shall collect a \$9 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 On the 15th day of each month, each county recorder shall  
17 report to the Department of Revenue, on a form prescribed by  
18 the Department, the number of real estate-related documents  
19 recorded for which the Rental Housing Support Program State  
20 surcharge was collected. Each recorder shall submit \$9 of each  
21 surcharge collected in the preceding month to the Department  
22 of Revenue and the Department shall deposit these amounts in  
23 the Rental Housing Support Program Fund. Subject to  
24 appropriation, amounts in the Fund may be expended only for  
25 the purpose of funding and administering the Rental Housing  
26 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 foregoing fees allowed by this Section are the maximum  
5 fees that may be collected from any officer, agency,  
6 department or other instrumentality of the State. The county  
7 board may, however, by ordinance or resolution, increase the  
8 fees allowed by this Section and collect such increased fees  
9 from all persons and entities other than officers, agencies,  
10 departments and other instrumentalities of the State if the  
11 increase is justified by an acceptable cost study showing that  
12 the fees allowed by this Section are not sufficient to cover  
13 the cost of providing the service. Regardless of any other  
14 provision in this Section, the maximum fee that may be  
15 collected from the Department of Revenue for filing or  
16 indexing a lien, certificate of lien release or subordination,  
17 or any other type of notice or other documentation affecting  
18 or concerning a lien is \$5. Regardless of any other provision  
19 in this Section, the maximum fee that may be collected from the  
20 Department of Revenue for indexing each additional name in  
21 excess of one for any lien, certificate of lien release or  
22 subordination, or any other type of notice or other  
23 documentation affecting or concerning a lien is \$1.

24 A statement of the costs of providing each service,  
25 program and activity shall be prepared by the county board.  
26 All supporting documents shall be public record and subject to



1 public examination and audit. All direct and indirect costs,  
2 as defined in the United States Office of Management and  
3 Budget Circular A-87, may be included in the determination of  
4 the costs of each service, program and activity.

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

6 (55 ILCS 5/3-5024) (from Ch. 34, par. 3-5024)

7 Sec. 3-5024. Certificate of time of filing. When any  
8 instrument in writing is recorded in the recorder's office,  
9 the recorder shall indorse upon such instrument a certificate  
10 of the time (including the hour of the day) when the same was  
11 received for recordation (which shall be considered the time  
12 of recording the same), and the book and page in which the same  
13 is recorded. The recorder shall sign the certificate or shall  
14 affix his facsimile signature thereto. A physical or  
15 electronic image of the recorder's stamp satisfies the  
16 signature requirement for recorded instruments prior to, on,  
17 and after the effective date of this amendatory Act of the  
18 102nd General Assembly.

19 The certificate, when signed by the recorder, or to which  
20 he has affixed his facsimile signature or a physical or  
21 electronic image of the recorder's stamp, shall be evidence of  
22 the facts therein stated.

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

24 Section 99. Effective date. This Act takes effect upon  
25 becoming law.