



Rep. Barbara Flynn Currie

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1 AMENDMENT TO SENATE BILL 3479

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

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

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

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

1 For recording deeds or other instruments, \$12.50 ~~\$12~~ for  
2 the first 4 pages thereof, plus \$1 for each additional page  
3 thereof, plus \$1 for each additional document number therein  
4 noted. The aggregate minimum fee for recording any one  
5 instrument shall not be less than \$12.50 ~~\$12~~.

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

10 For recording assignments of mortgages, leases or liens,  
11 \$12 for the first 4 pages thereof, plus \$1 for each additional  
12 page thereof. However, except for leases and liens pertaining  
13 to oil, gas and other minerals, whenever a mortgage, lease or  
14 lien assignment assigns more than one mortgage, lease or lien  
15 document, a \$7 fee shall be charged for the recording of each  
16 such mortgage, lease or lien document after the first one.

17 For recording maps or plats of additions or subdivisions  
18 approved by the county or municipality (including the spreading  
19 of the same of record in map case or other proper books) or  
20 plats of condominiums, \$50 for the first page, plus \$1 for each  
21 additional page thereof except that in the case of recording a  
22 single page, legal size 8 1/2 x 14, plat of survey in which  
23 there are no more than two lots or parcels of land, the fee  
24 shall be \$12. In each county where such maps or plats are to be  
25 recorded, the recorder may require the same to be accompanied  
26 by such number of exact, true and legible copies thereof as the

1 recorder deems necessary for the efficient conduct and  
2 operation of his or her office.

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

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

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

1 allowed for the certificate or indexing.

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

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

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

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

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

26 (5) The document shall not have any attachment stapled

1           or otherwise affixed to any page.

2           A document that does not conform to these standards shall not  
3           be recorded except upon payment of the additional fee required  
4           under this paragraph. This paragraph, as amended by this  
5           amendatory Act of 1995, applies only to documents dated after  
6           the effective date of this amendatory Act of 1995.

7           The county board of any county may provide for an  
8           additional charge of \$3.50 ~~\$3~~ for filing every instrument,  
9           paper, or notice for record, (1) in order to defray the cost of  
10          converting the county recorder's document storage system to  
11          computers or micrographics and (2) in order to defray the cost  
12          of providing access to records through the global information  
13          system known as the Internet.

14          A special fund shall be set up by the treasurer of the  
15          county and such funds collected pursuant to Public Act 83-1321  
16          shall be used (1) for a document storage system to provide the  
17          equipment, materials and necessary expenses incurred to help  
18          defray the costs of implementing and maintaining such a  
19          document records system and (2) for a system to provide  
20          electronic access to those records. The amounts available to  
21          the recorder for expenditure from the surcharge added to the  
22          second paragraph of this Section 3-5018 by this amendatory Act  
23          of the 97th General Assembly shall not offset or reduce any  
24          other county appropriations or funding for the office of the  
25          recorder.

26          The county board of any county that provides and maintains

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

23 The recorder shall collect a \$9 ~~\$10~~ Rental Housing Support  
24 Program State surcharge for the recordation of any real  
25 estate-related document. Payment of the Rental Housing Support  
26 Program State surcharge shall be evidenced by a receipt that

1 shall be marked upon or otherwise affixed to the real  
2 estate-related document by the recorder. The form of this  
3 receipt shall be prescribed by the Department of Revenue and  
4 the receipts shall be issued by the Department of Revenue to  
5 each county recorder.

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

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

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

1 amounts in the Fund may be expended only for the purpose of  
2 funding and administering the Rental Housing Support Program.

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

6 The foregoing fees allowed by this Section are the maximum  
7 fees that may be collected from any officer, agency, department  
8 or other instrumentality of the State. The county board may,  
9 however, by ordinance, increase the fees allowed by this  
10 Section and collect such increased fees from all persons and  
11 entities other than officers, agencies, departments and other  
12 instrumentalities of the State if the increase is justified by  
13 an acceptable cost study showing that the fees allowed by this  
14 Section are not sufficient to cover the cost of providing the  
15 service. 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 A statement of the costs of providing each service, program  
26 and activity shall be prepared by the county board. All



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

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

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

9 (310 ILCS 105/5)

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

1 values. Unaffordable rental rates lead to frequent tenant  
2 turnover and difficulty filling vacancies, resulting in  
3 unstable income streams for rental property owners, the limited  
4 ability of owners to properly maintain their properties,  
5 substandard rental housing, and greater rates of foreclosure.  
6 High tenant turnover, poorly maintained properties, vacant and  
7 abandoned properties, and overcrowded housing negatively  
8 impact the safety and health of communities and the real estate  
9 values within such communities. Among others, the program  
10 created by this Act benefits (i) all individuals who record  
11 real estate related documents by helping to stabilize real  
12 estate values in the State, (ii) rental property owners by  
13 subsidizing the portion of rent that many of their tenants are  
14 unable to pay, (iii) those individuals who own real estate in  
15 the State by providing an option for affordable rental housing  
16 should they one day face foreclosure, and (iv) tenants who  
17 participate in the program by providing them with rental  
18 assistance and the ability to achieve financial stability so  
19 that they are able to become property owners themselves. It is  
20 the purpose of this Act to create a State program to help  
21 localities address the need for decent, affordable, permanent  
22 rental housing.

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

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