



**Adopted in House Comm. on May 27, 2004**

09300SB0520ham001

LRB093 09316 MKM 51727 a

1 AMENDMENT TO SENATE BILL 520

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

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

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

23 Section 7. Definitions. In this Act:

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

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

5 "Program" means the Rental Housing Support Program.

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

8 "Rental Housing Support Program State surcharge" means the  
9 \$10 surcharge imposed by this Act on the privilege of recording  
10 any real estate-related document.

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

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

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

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

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

1 set forth in Section 25 of this Act to serve as the "local  
2 administering agency" under Section 15 of this Act.

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

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

13 Section 15. Grants to local administering agencies.

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

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

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

32 (d) The Authority shall distribute grants to local  
33 administering agencies according to a formula based on U.S.

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

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

31 (f) In order to maintain consistency for households  
32 receiving rental housing support, the Authority shall, to the  
33 extent possible given funding resources available in the Rental  
34 Housing Support Program, continue to fund local administering

1 agencies at the same level on an annual basis, unless the  
2 Authority determines that a local administering agency is not  
3 meeting the criteria set forth in Section 25 or is not adhering  
4 to other standards set forth by rule by the Authority.

5 Section 20. Grants for affordable housing developments.

6 (a) The Authority may award grants under the program  
7 directly for the development of affordable rental housing for  
8 long-term operating support to enable the rent on such units to  
9 be affordable. Developers of such new housing shall apply  
10 directly to the Authority for this type of grant under the  
11 program.

12 (b) The Authority shall prescribe by rule the application  
13 requirements and the qualifications necessary for a developer  
14 and a development to qualify for a grant under the program. In  
15 any event, however, to qualify for a grant, the development  
16 must satisfy the criteria set forth in Section 25, unless  
17 waived by the Authority based on special circumstances and in  
18 furtherance of the purpose of the program to increase the  
19 supply of affordable rental housing.

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

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

1 criteria:

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

32 (2) Local administering agencies must include  
33 2-bedroom, 3-bedroom, and 4-bedroom units among those  
34 intended to be supported by grants under the program. In

1 grants under Section 15, the precise number of these units  
2 among all the units intended to be supported by a grant  
3 must be based on need in the community for larger units and  
4 other factors that the Authority specifies in rules. The  
5 local administering agency must specify the basis for the  
6 numbers of these units that are proposed for support under  
7 a grant. Local administering agencies must make a good  
8 faith effort to comply with this allocation of unit sizes.  
9 In grants awarded under Section 20, developers and the  
10 Authority or municipality, as defined in subsection (b) of  
11 Section 10, shall negotiate the numbers and sizes of units  
12 to be built in a project and supported by the grant.

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

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

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

33 (6) The amount of the subsidy provided under a grant  
34 for a unit must be the difference between the amount of the

1 tenant's obligation and the total amount of rent for the  
2 unit. The total amount of rent for the unit must be  
3 negotiated between the local administering authority and  
4 the landlord under Section 15, or between the Authority or  
5 municipality, as defined in subsection (b) of Section 10,  
6 and the developer under Section 20, using comparable rents  
7 for units of comparable size and condition in the  
8 surrounding community as a guideline.

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

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

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

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

33 (11) In order to plan for periodic fluctuations in  
34 program revenue, the Authority shall establish by rule a



1 mechanism for establishing a reserve fund and the level of  
2 funding that shall be held in reserve either by the  
3 Authority or by local administering agencies.

4 Section 85. The State Finance Act is amended by adding  
5 Section 5.625 as follows:

6 (30 ILCS 105/5.625 new)

7 Sec. 5.625. The Rental Housing Support Program Fund.

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

10 (55 ILCS 5/3-5018) (from Ch. 34, par. 3-5018)

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

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

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

27 For recording assignments of mortgages, leases or liens \$12  
28 for the first 4 pages thereof, plus \$1 for each additional page  
29 thereof. However, except for leases and liens pertaining to  
30 oil, gas and other minerals, whenever a mortgage, lease or lien

1 assignment assigns more than one mortgage, lease or lien  
2 document, a \$7 fee shall be charged for the recording of each  
3 such mortgage, lease or lien document after the first one.

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

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

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

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

- 32 (1) The document shall consist of one or more  
33 individual sheets measuring 8.5 inches by 11 inches, not  
34 permanently bound and not a continuous form. Graphic

1 displays accompanying a document to be recorded that  
2 measure up to 11 inches by 17 inches shall be recorded  
3 without charging an additional fee.

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

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

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

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

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

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

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

1 defray the costs of implementing and maintaining such a  
2 document records system and (2) for a system to provide  
3 electronic access to those records.

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

27 The recorder shall collect a \$10 Rental Housing Support  
28 Program State surcharge for the recordation of any real  
29 estate-related document. Payment of the Rental Housing Support  
30 Program State surcharge shall be evidenced by a receipt that  
31 shall be marked upon or otherwise affixed to the real  
32 estate-related document by the recorder. The form of this  
33 receipt shall be prescribed by the Department of Revenue and  
34 the receipts shall be issued by the Department of Revenue to

1 each county recorder. One dollar of the surcharge shall be  
2 retained by the county in which it was collected in the  
3 county's general revenue fund.

4 On the 15th day of each month, each county recorder shall  
5 report to the Department of Revenue, on a form prescribed by  
6 the Department, the number of real estate-related documents  
7 recorded for which the Rental Housing Support Program State  
8 surcharge was collected. Each recorder shall submit 90% of the  
9 Rental Housing Support Program State surcharges collected in  
10 the preceding month to the Department of Revenue and the  
11 Department shall deposit these amounts in the Rental Housing  
12 Support Program Fund. Subject to appropriation, amounts in the  
13 Fund may be expended only for the purpose of funding and  
14 administering the Rental Housing Support Program.

15 The foregoing fees allowed by this Section are the maximum  
16 fees that may be collected from any officer, agency, department  
17 or other instrumentality of the State. The county board may,  
18 however, by ordinance, increase the fees allowed by this  
19 Section and collect such increased fees from all persons and  
20 entities other than officers, agencies, departments and other  
21 instrumentalities of the State if the increase is justified by  
22 an acceptable cost study showing that the fees allowed by this  
23 Section are not sufficient to cover the cost of providing the  
24 service. Regardless of any other provision in this Section, the  
25 maximum fee that may be collected from the Department of  
26 Revenue for filing or indexing a lien, certificate of lien  
27 release or subordination, or any other type of notice or other  
28 documentation affecting or concerning a lien is \$5. Regardless  
29 of any other provision in this Section, the maximum fee that  
30 may be collected from the Department of Revenue for indexing  
31 each additional name in excess of one for any lien, certificate  
32 of lien release or subordination, or any other type of notice  
33 or other documentation affecting or concerning a lien is \$1.

34 A statement of the costs of providing each service, program

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

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

9 (55 ILCS 5/4-12002) (from Ch. 34, par. 4-12002)

10 (Text of Section before amendment by P.A. 93-671)

11 Sec. 4-12002. Fees of recorder in third class counties. The  
12 fees of the recorder in counties of the third class for  
13 recording deeds or other instruments in writing and maps of  
14 plats of additions, subdivisions or otherwise, and for  
15 certifying copies of records, shall be paid in advance and  
16 shall be as follows:

17 For recording deeds or other instruments \$20 for the first  
18 2 pages thereof, plus \$2 for each additional page thereof. The  
19 aggregate minimum fee for recording any one instrument shall  
20 not be less than \$20.

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 the recorder shall charge a fee of  
24 \$4 in addition to that hereinabove referred to for each  
25 document number therein noted.

26 For recording deeds or other instruments wherein more than  
27 one tract, parcel or lot is described and such additional  
28 tract, or tracts, parcel or parcels, lot or lots is or are  
29 described therein as falling in a separate or different  
30 addition or subdivision the recorder shall charge as an  
31 additional fee, to that herein provided, the sum of \$2 for each  
32 additional addition or subdivision referred to in such deed or  
33 instrument.

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

5 For certified copies of records the same fees as for  
6 recording, but in no case shall the fee for a certified copy of  
7 a map or plat of an addition, subdivision or otherwise exceed  
8 \$200.

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

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

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

20 (1) The document shall consist of one or more  
21 individual sheets measuring 8.5 inches by 11 inches, not  
22 permanently bound and not a continuous form. Graphic  
23 displays accompanying a document to be recorded that  
24 measure up to 11 inches by 17 inches shall be recorded  
25 without charging an additional fee.

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

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

1 notations.

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

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

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

12 The fee requirements of this Section apply to units of  
13 local government and school districts.

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

24 (Source: P.A. 92-492, eff. 1-1-02.)

25 (Text of Section after amendment by P.A. 93-671)

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

32 For recording deeds or other instruments \$20 for the first  
33 2 pages thereof, plus \$2 for each additional page thereof. The



1 aggregate minimum fee for recording any one instrument shall  
2 not be less than \$20.

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

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

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  
27 county ordinance and made public.

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

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

34 The recorder shall charge an additional fee, in an amount

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

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

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

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

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

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

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

31 The recorder shall collect a \$10 Rental Housing Support  
32 Program State surcharge for the recordation of any real  
33 estate-related document. Payment of the Rental Housing Support  
34 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. One dollar of the surcharge shall be  
6 retained by the county in which it was collected in the  
7 county's general revenue fund.

8 On the 15th day of each month, each county recorder shall  
9 report to the Department of Revenue, on a form prescribed by  
10 the Department, the number of real estate-related documents  
11 recorded for which the Rental Housing Support Program State  
12 surcharge was collected. Each recorder shall submit 90% of the  
13 Rental Housing Support Program State surcharges collected in  
14 the preceding month to the Department of Revenue and the  
15 Department shall deposit these amounts in the Rental Housing  
16 Support Program Fund. Subject to appropriation, amounts in the  
17 Fund may be expended only for the purpose of funding and  
18 administering the Rental Housing Support Program.

19 The fee requirements of this Section apply to units of  
20 local government and school districts.

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

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

32 Section 99. Effective date. This Act takes effect on  
33 January 1, 2005."