



*i*nformational Bulletin

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Rental Housing Support Program Fund State Surcharge Rate Change

This bulletin is written to inform you of recent changes; it does not replace statutes, rules and regulations, or court decisions.

For information
Visit our website at:
tax.illinois.gov

Call us at:
217 524-4767

Email us at:
REV.ElectronicFiling@illinois.gov

To: All County Recorders

Effective **July 1, 2023**, Public Act 102-1135 increases the state surcharge that all Illinois County Recorders must collect for the Rental Housing Support Program Fund for the recording of all real estate-related documents. Beginning July 1, the portion of the Rental Housing Support Program State surcharge paid to the Illinois Department of Revenue (IDOR) will increase from **\$9** to **\$18**.

When must I begin collecting the increased surcharge?

Beginning July 1, 2023, you must collect the \$18 Rental Housing Support Program State surcharge for each recorded real estate-related document. You send the \$18 to IDOR, to be distributed into the Rental Housing Support Program Fund. 55 ILCS 5/3-5018.

The increase in the state surcharge for the Rental Housing Support Program Fund begins with your submission for the July 2023 reporting period, which is due on or before August 15, 2023.

Who can I contact if I have questions about the reporting and payment application?

If you have questions about the Rental Housing Support Program reporting and payment application, call IDOR at **217 524-4767**, or email us at REV.ElectronicFiling@illinois.gov.

AN ACT concerning local government.

**Be it enacted by the People of the State of Illinois,
represented in the General Assembly:**

Section 5. The Counties Code is amended by changing Sections 3-5018, 3-5018.1, 4-12002, and 4-12002.1 as follows:

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

(3) The document shall be on white paper of not less than 20-pound weight and shall have a clean margin of at least one-half inch on the top, the bottom, and each side.

Margins may be used for non-essential notations that will not affect the validity of the document, including but not limited to form numbers, page numbers, and customer notations.

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

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

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

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

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

document records system and (2) for a system to provide electronic access to those records.

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

The recorder shall collect a \$18 ~~\$9~~ Rental Housing Support

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

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

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

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

The foregoing fees allowed by this Section are the maximum

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

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

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

(55 ILCS 5/3-5018.1)

Sec. 3-5018.1. Predictable fee schedule.

(a) As used in this Section:

"Nonstandard document" means:

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

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

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

(4) a State lien or a federal lien;

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

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

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

(b) On or before January 1, 2019, a county shall adopt and implement, by ordinance or resolution, a predictable fee schedule that eliminates surcharges or fees based on the individual attributes of a standard document to be recorded. The initial predictable fee schedule approved by a county

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

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

Before approval of an ordinance or resolution under this Section, the recorder or county clerk shall post a notice in their office at least 2 weeks prior, but not more than 4 weeks prior, to the public meeting at which the ordinance or resolution may be adopted. The notice shall contain the

proposed ordinance or resolution number, if any, the proposed document class flat fees for each classification, and a reference to this Section or this amendatory Act of the 100th General Assembly.

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

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

(d) :

(1) Deeds. The aggregate fee for recording deeds shall not be less than \$31 ~~\$21~~ (being a minimum \$13 ~~\$12~~ county fee plus \$18 ~~\$9~~ for the Rental Housing Support Program State surcharge). Inclusion of language in the deed as to any restriction; covenant; lien; oil, gas, or other mineral interest; easement; lease; or a mortgage shall not alter the classification of a document as a deed.

(2) Leases, lease amendments, and similar transfer of interest documents. The aggregate fee for recording leases, lease amendments, and similar transfers of interest documents shall not be less than \$31 ~~\$21~~ (being a minimum \$13 ~~\$12~~ county fee plus \$18 ~~\$9~~ for the Rental Housing Support Program State surcharge).

(3) Mortgages. The aggregate fee for recording mortgages, including assignments, extensions, amendments, subordinations, and mortgage releases shall not be less than \$31 ~~\$21~~ (being a minimum \$13 ~~\$12~~ county fee plus \$18 ~~\$9~~ for the Rental Housing Support Program State surcharge).

(4) Easements not otherwise part of another classification. The aggregate fee for recording easements not otherwise part of another classification, including assignments, extensions, amendments, and easement releases not filed by a State agency, unit of local government, or school district shall not be less than \$31 ~~\$21~~ (being a

minimum \$13 ~~\$12~~ county fee plus \$18 ~~\$9~~ for the Rental Housing Support Program State surcharge).

(5) Miscellaneous. The aggregate fee for recording documents not otherwise falling within classifications set forth in paragraphs (1) through (4) and are not nonstandard documents shall not be less than \$31 ~~\$21~~ (being a minimum \$13 ~~\$12~~ county fee plus \$18 ~~\$9~~ for the Rental Housing Support Program State surcharge). Nothing in this subsection shall preclude an alternate predictable fee schedule for electronic recording within each of the classifications set forth in this subsection (c). If the Rental Housing Support Program State surcharge is amended and the surcharge is increased or lowered, the aggregate amount of the document flat fee attributable to the surcharge in the document may be changed accordingly.

(d) If an ordinance or resolution establishing a predictable fee schedule is adopted pursuant to subsection (b) and any document class flat fee exceeds \$31 ~~\$21~~, the county board shall:

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

dollar amount; or

(2) if a cost study has been completed within the last 3 years that shows \$31 ~~\$21~~ is not sufficient to cover the costs of providing the services related to each document class, obtain from the clerk or recorder an analysis of the average fees collected for the recording of each of the document classifications under subsection (c) from the date of the cost study and set respective document class flat fees for each of the 5 document classifications at the average for that document class rounded upward to the next whole dollar amount.

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

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

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

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

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

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

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

For recording deeds or other instruments wherein more than one tract, parcel or lot is described and such additional tract, or tracts, parcel or parcels, lot or lots is or are described therein as falling in a separate or different

addition or subdivision the recorder shall charge as an additional fee, to that herein provided, the sum of \$2 for each additional addition or subdivision referred to in such deed or instrument.

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

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

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

\$200.

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

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

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

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

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

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

(3) The document shall be on white paper of not less

than 20-pound weight and shall have a clean margin of at least one-half inch on the top, the bottom, and each side. Margins may be used only for non-essential notations that will not affect the validity of the document, including but not limited to form numbers, page numbers, and customer notations.

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

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

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

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

The recorder shall not collect the Rental Housing Support

Program State surcharge from any State agency, any unit of local government or any school district.

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

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

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

Regardless of any other provision in this Section, the maximum fee that may be collected from the Department of Revenue for filing or indexing a lien, certificate of lien release or subordination, or any other type of notice or other documentation affecting or concerning a lien is \$5. Regardless of any other provision in this Section, the maximum fee that may be collected from the Department of Revenue for indexing each additional name in excess of one for any lien,

certificate of lien release or subordination, or any other type of notice or other documentation affecting or concerning a lien is \$1.

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

(55 ILCS 5/4-12002.1)

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

(a) As used in this Section:

"Nonstandard document" means:

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

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

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

(4) a State lien or a federal lien;

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

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

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

(b) On or before January 1, 2020, a county shall adopt and

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

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

Before approval of an ordinance or resolution under this

Section, the recorder or county clerk shall post a notice in his or her office at least 2 weeks prior, but not more than 4 weeks prior, to the public meeting at which the ordinance or resolution may be adopted. The notice shall contain the proposed ordinance or resolution number, if any, the proposed document class flat fees for each classification, and a reference to this Section or this amendatory Act of the 100th General Assembly.

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

(c) Pursuant to an ordinance or resolution adopted under subsection (b), the recorder elected as provided for in this Division shall receive such fees as are or may be provided for him or her by law, in case of provision thereof: otherwise he or she shall receive the same fees as are or may be provided in this Section except when increased by county ordinance or resolution pursuant to the provisions of this Section, to be paid to the county clerk for his or her services in the office of recorder for like services. For the purposes of the fee charged, the ordinance or resolution shall divide standard documents into the following classifications and shall establish a single, all-inclusive, county and State-imposed aggregate fee charged for each such classification of document at the time of recording for that document, which is called the document class flat fee. A standard document is not subject to more than one classification at the time of recording for the

purposes of imposing any fee. Each standard document shall fall within one of the following document class flat fee classifications and fees for each document class shall be charged only as allowed by this subsection (c) and subsection (d):

(1) Deeds. The aggregate fee for recording deeds shall not be less than \$39 ~~\$29~~ (being a minimum \$21 ~~\$20~~ county fee plus \$18 ~~\$9~~ for the Rental Housing Support Program State surcharge). Inclusion of language in the deed as to any restriction; covenant; lien; oil, gas, or other mineral interest; easement; lease; or a mortgage shall not alter the classification of a document as a deed.

(2) Leases, lease amendments, and similar transfer of interest documents. The aggregate fee for recording leases, lease amendments, and similar transfers of interest documents shall not be less than \$39 ~~\$29~~ (being a minimum \$21 ~~\$20~~ county fee plus \$18 ~~\$9~~ for the Rental Housing Support Program State surcharge).

(3) Mortgages. The aggregate fee for recording mortgages, including assignments, extensions, amendments, subordinations, and mortgage releases shall not be less than \$39 ~~\$29~~ (being a minimum \$21 ~~\$20~~ county fee plus \$18 ~~\$9~~ for the Rental Housing Support Program State surcharge).

(4) Easements not otherwise part of another classification. The aggregate fee for recording easements

not otherwise part of another classification, including assignments, extensions, amendments, and easement releases not filed by a State agency, unit of local government, or school district shall not be less than \$39 ~~\$29~~ (being a minimum \$21 ~~\$20~~ county fee plus \$18 ~~\$9~~ for the Rental Housing Support Program State surcharge).

(5) Miscellaneous. The aggregate fee for recording documents not otherwise falling within classifications set forth in paragraphs (1) through (4) and are not nonstandard documents shall not be less than \$39 ~~\$29~~ (being a minimum \$21 ~~\$20~~ county fee plus \$18 ~~\$9~~ for the Rental Housing Support Program State surcharge). Nothing in this subsection shall preclude an alternate predictable fee schedule for electronic recording within each of the classifications set forth in this subsection (c). If the Rental Housing Support Program State surcharge is amended and the surcharge is increased or lowered, the aggregate amount of the document flat fee attributable to the surcharge in the document may be changed accordingly.

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

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

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

Section 10. The Rental Housing Support Program Act is amended by changing Section 15 and by adding Section 30 as follows:

(310 ILCS 105/15)

Sec. 15. Grants to local administering agencies.

(a) Under the program, the Authority shall make grants to local administering agencies to provide subsidies to landlords to enable the landlords to charge rent affordable for low-income tenants. Grants shall also include an amount for the operating expenses of local administering agencies. On an annual basis, operating expenses for local administering agencies shall not exceed 10% for grants under \$500,000 and shall not exceed 7% for grants over \$500,000. If a grant to a local administering agency covers more than one year, the Authority shall calculate operating expenses on an annual pro rata share of the grant. If the annual pro rata share is \$500,000 or less, then the fee shall be 10%; if the annual pro rata share is greater than \$500,000, then the fee shall be 7%.

(b) The Authority shall develop a request-for-proposals process for soliciting proposals from local administering

agencies and for awarding grants. The request-for-proposals process and the funded projects must be consistent with the criteria set forth in Section 25 and with additional criteria set forth by the Authority in rules implementing this Act. As part of the request-for-proposal process and subject to the requirements contained in subsection (d), best efforts will be used to prioritize local administering agencies that serve the county in which annual receipts were collected upon receipt of current data from the Department of Revenue applicable to the annual receipts.

(c) Local administering agencies may be local governmental bodies, local housing authorities, or not-for-profit organizations. The Authority shall set forth in rules the financial and capacity requirements necessary for an organization to qualify as a local administering agency and the parameters for administration of the grants by local administering agencies. The Authority shall use best efforts through outreach to local administering agencies to encourage at least one local administering agency to serve each county, subject to subsection (d).

(d) The Authority shall distribute grants to local administering agencies according to a formula based on U.S. Census data. The formula shall determine percentages of the funds to be distributed to the following geographic areas: (i) Chicago; (ii) suburban areas: Cook County (excluding Chicago), DuPage County, Lake County, Kane County, Will County, and

McHenry County; (iii) small metropolitan areas: Springfield, Rockford, Peoria, Decatur, Champaign-Urbana, Bloomington-Normal, Rock Island, DeKalb, Madison County, Moline, Pekin, Rantoul, and St. Clair County; and (iv) rural areas, defined as all areas of the State not specifically named in items (i), (ii), and (iii) of this subsection. A geographic area's percentage share shall be determined by the total number of households that have an annual income of less than 50% of State median income for a household of 4, as determined by the U.S. Department of Housing and Urban Development, and that are paying more than 30% of their income for rent. The geographic distribution shall be re-determined by the Authority each time new U.S. Census data becomes available. The Authority shall phase in any changes to the geographic formula to prevent a large withdrawal of resources from one area that could negatively impact households receiving rental housing support. Up to 20% of the funds allocated for rural areas, as defined in this subsection, may be set aside and awarded to one administering agency to be distributed throughout the rural areas in the State to localities that desire a number of subsidized units of housing that is too small to justify the establishment of a full local program. In those localities, the administering agency may contract with local agencies to share the administrative tasks of the program, such as inspections of units.

(e) In order to ensure applications from all geographic

areas of the State, the Authority shall create a plan to ensure that potential local administering agencies have ample time and support to consider making an application and to prepare an application. Such a plan must include, but is not limited to: an outreach and education plan regarding the program and the requirements for a local administering agency; ample time between the initial notice of funding ability and the deadline to submit an application, which shall not be less than 9 months; and access to assistance from the Authority or another agency in considering and preparing the application.

(f) In order to maintain consistency for households receiving rental housing support, the Authority shall, to the extent possible given funding resources available in the Rental Housing Support Program, continue to fund local administering agencies at the same level on an annual basis, unless the Authority determines that a local administering agency is not meeting the criteria set forth in Section 25 or is not adhering to other standards set forth by rule by the Authority.

(Source: P.A. 97-952, eff. 1-1-13.)

(310 ILCS 105/30 new)

Sec. 30. Illinois Rental Housing Support Program Funding Allocation Task Force.

(a) The Illinois Rental Housing Support Program Funding Allocation Task Force is hereby created. The Task Force shall

consist of the following members:

(1) One member appointed by the President of the Senate.

(2) One member appointed by the Minority Leader of the Senate.

(3) One member appointed by the Speaker of the House of Representatives.

(4) One member appointed by the Minority Leader of the House of Representatives.

(5) One member appointed by the Illinois Housing Development Authority.

(6) One member representing the Chicago Low-Income Housing Trust Fund, appointed by the Board of Directors of the Trust Fund.

(7) One member representing a local administering agency from Cook County (excluding Chicago), DuPage County, Lake County, Kane County, Will County, or McHenry County, appointed by the Governor.

(8) One member, appointed by the Governor, representing a local administering agency from a small metropolitan area from one of the following areas: Springfield, Rockford, Peoria, Decatur, Champaign, Urbana, Bloomington, Normal, Rock Island, DeKalb, Madison County, Moline, Pekin, Rantoul, or St. Clair County.

(9) One member representing a local administering agency from a rural area, appointed by the Governor; as

used in this paragraph, "rural area" means an area of the State that is not specifically named in paragraph (7) or (8).

(10) Three members from an organization representing Illinois county clerks and recorders, appointed by the Governor, as follows:

(A) one member from Cook County (excluding Chicago), DuPage County, Lake County, Kane County, Will County, or McHenry County;

(B) one member from a small metropolitan area from one of the following areas: the cities of Springfield, Rockford, Peoria, Decatur, Champaign, Urbana, Bloomington, Normal, Rock Island, DeKalb, Moline, Pekin, or Rantoul or Madison County or St. Clair County; and

(C) one member from a rural area, appointed by the Governor; as used in this subparagraph, "rural area" means an area of the State that is not specifically named in subparagraph (A) or (B).

(11) Up to two members representing a Section 501(c)(3) affordable housing advocacy organization, appointed by the Governor.

(12) One additional member appointed by the Governor.

Members of the Task Force must be appointed no later than 30 days after the effective date of this amendatory Act of the 102nd General Assembly. If any members are not appointed

within the 30-day period, the entity or person responsible for making the appointment shall be deemed to have forfeited the right to make such appointment.

(b) Once appointed, the members shall elect a chairperson and vice chairperson by a simple majority vote.

If a vacancy occurs on the Task Force, it shall be filled according to the initial appointment.

At the discretion of the chair, additional individuals may participate as nonvoting members in the meetings of the Task Force.

Members of the Task Force shall serve without compensation. The Illinois Housing Development Authority shall provide staff and administrative services to the Task Force.

(c) Once all members have been appointed, the Task Force shall meet not less than 3 times to carry out the duties prescribed in this Section. Members of the Task Force may attend such meetings virtually.

(d) A report delineating the Task Force's findings, conclusions, and recommendations shall be submitted to the General Assembly no later than September 30, 2023.

(e) The members of the Task Force are exempt from requirements of the State Officials and Employees Ethics Act, the Illinois Governmental Ethics Act, or any other applicable law or regulation that would require Task Force members to complete trainings, disclosures, or other filings since the Task Force is of limited duration and is charged only with

delivering a non-binding report.

(f) The Task Force shall study and make recommendations regarding the equitable distribution of rental housing support funds across the State. The Task Force shall also work with the Illinois Housing Development Authority as funding allocations will be required to be adjusted due to data released by the United States Census Bureau on the 2020 decennial census.

(g) This Section is repealed on September 30, 2024.

Section 99. Effective date. This Act takes effect July 1, 2023.