

By: Representative Coleman (29th)

To: Fees and Salaries of Public Officers

HOUSE BILL NO. 1166  
(As Sent to Governor)

1 AN ACT TO AMEND SECTION 25-7-9, MISSISSIPPI CODE OF 1972, TO  
2 CLARIFY COST FOR RECORDING DEEDS AND OIL AND GAS ASSIGNMENTS; AND  
3 FOR RELATED PURPOSES.

4 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MISSISSIPPI:

5 **SECTION 1.** Section 25-7-9, Mississippi Code of 1972, is  
6 amended as follows:

7 25-7-9. (1) The clerks of the chancery courts shall charge  
8 the following fees:

9 (a) For the act of certifying copies of filed  
10 documents, for each complete document..... \$ 1.00

11 (b) (i) Recording each deed, will, lease, amendment,  
12 subordination, lien, release, cancellation, order, decree, oath,  
13 etc., per book and page listed where applicable; for the first  
14 fifteen (15) pages..... \$ 10.00  
15 Each additional page..... \$ 1.00

16 (ii) Sectional index entries per section or  
17 subdivision lot..... \$ 1.00

18 \* \* \*

19 (c) Recording each deed of trust, for the first fifteen  
20 (15) pages..... \$ 15.00  
21 Each additional page..... \$ 1.00

22 Sectional index entries per section or subdivision  
23 lot..... \$ 1.00

24 (d) (i) Recording oil and gas leases, cancellations,  
25 etc., including indexing in general indices; for the first fifteen  
26 (15) pages ..... \$ 18.00  
27 Each additional page..... \$ 1.00

28                   (ii) Sectional index entries per section or  
29 subdivision lot..... \$     1.00

30                   (iii) Recording each oil and gas  
31 assignment per assignee..... \$   18.00

32           (e) (i) Furnishing copies of any papers of record or  
33 on file \* \* \*:

34               If performed by the clerk or his employee,  
35 per page..... \$     .50

36               If performed by any other person, per page..... \$     .25

37                   (ii) Entering marginal notations on  
38 documents of record..... \$     1.00

39           (f) For each day's attendance on the board of  
40 supervisors, for himself and one (1) deputy, each..... \$   20.00

41           (g) For other services as clerk of the board of  
42 supervisors an allowance shall be made to him (payable  
43 semiannually at the July and January meetings) out of the county  
44 treasury, an annual sum not exceeding..... \$3,000.00

45           (h) For each day's attendance on the chancery court, to  
46 be approved by the chancellor:

47               For the first chancellor sitting only, clerk and two (2)  
48 deputies, each..... \$   50.00

49               For the second chancellor sitting, clerk only..... \$   50.00

50           Provided that the fees herein prescribed shall be the total  
51 remuneration for the clerk and his deputies for attending chancery  
52 court.

53           (i) On order of the court, clerks and not more than two  
54 (2) deputies may be allowed five (5) extra days for each term of  
55 court for attendance upon the court to get up records.

56           (j) For public service not otherwise specifically  
57 provided for, the chancery court may by order allow the clerk to  
58 be paid by the county on the order of the board of supervisors, an  
59 annual sum not exceeding..... \$5,000.00

60 (k) For each civil filing, to be deposited into the  
61 Civil Legal Assistance Fund..... \$ 5.00

62 The chancery clerk shall itemize on the original document a  
63 detailed fee bill of all charges due or paid for filing, recording  
64 and abstracting same. No person shall be required to pay such  
65 fees until same have been so itemized, but said fees may be  
66 demanded before the document is recorded.

67 (2) \* \* \* *The following fees shall be a total fee for all*  
68 *services performed by the clerk with respect to a complaint which*  
69 *shall be payable upon filing and shall accrue to the chancery*  
70 *clerk at the time of filing.* The clerk or his successor in office  
71 shall perform all duties set forth without additional compensation  
72 or fee to wit:

- 73 (a) Divorce to be contested..... \$75.00
- 74 (b) Divorce uncontested..... \$30.00
- 75 (c) Alteration of birth or marriage certificate. \$25.00
- 76 (d) Removal of minority..... \$25.00
- 77 (e) Guardianship or conservatorship..... \$75.00
- 78 (f) Estate of deceased, intestate..... \$75.00
- 79 (g) Estate of deceased, testate..... \$75.00
- 80 (h) Adoption..... \$75.00
- 81 (i) Land dispute..... \$75.00
- 82 (j) Injunction..... \$75.00
- 83 (k) Settlement of small claim..... \$30.00
- 84 (l) Contempt in child support..... \$75.00
- 85 (m) Partition suit..... \$75.00
- 86 (n) Any cross-complaint..... \$25.00

87 (3) For every civil case filed, an additional fee to be  
88 deposited to the credit of the Comprehensive Electronic Court  
89 Systems Fund established in Section 9-21-14..... \$10.00

90 (4) Cost of process shall be borne by the issuing party.  
91 Additionally, should the attorney or person filing the pleadings  
92 desire the clerk to pay the cost to the sheriff for serving

93 process on one (1) person or more, or to pay the cost of  
94 publication, the clerk shall demand the actual charges therefor,  
95 at the time of filing.

96         **SECTION 2.** This act shall take effect and be in force from  
97 and after July 1, 2007.