

By: Senator(s) Jackson (11th), Dawkins

To: Fees, Salaries and Administration

SENATE BILL NO. 2961

1 AN ACT TO AMEND SECTION 25-60-5, MISSISSIPPI CODE OF 1972, TO
2 INCREASE THE FEES CHARGED BY ANY COUNTY OR MUNICIPAL OFFICIAL WHO
3 ACCEPTS DOCUMENTS FOR FILING AS PUBLIC RECORDS; AND FOR RELATED
4 PURPOSES.

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

6 **SECTION 1.** Section 25-60-5, Mississippi Code of 1972, is
7 amended as follows:

8 25-60-5. (1) Except as provided in subsection (2) of this
9 section, any county or municipal official or employee who accepts
10 documents for filing as public records shall, in addition to any
11 other fee provided elsewhere by law, collect a fee of Three
12 Dollars (\$3.00) for each document so filed. In municipalities and
13 counties that collect Three Hundred Dollars (\$300.00) or more per
14 month from the filing fee, the official or employee collecting the
15 fee shall, on or before the last day of each month, deposit the
16 avails of Two Dollars and Fifty Cents (\$2.50) of the fee into the
17 general fund of the county or municipality, as appropriate, and
18 remit the remainder to the State Treasurer who shall deposit it to
19 the credit of a statewide local government records management fund
20 which is hereby created in the State Treasury. In municipalities
21 and counties that collect less than Three Hundred Dollars
22 (\$300.00) per month from the filing fee, the avails of Two Dollars
23 and Fifty Cents (\$2.50) of the fee shall be remitted to the State
24 Treasurer on a quarterly basis for deposit as provided in the
25 previous sentence. Any monies remaining in the fund at the end of
26 a fiscal year shall not lapse into the General Fund of the State
27 Treasury. Counties and municipalities shall expend monies derived
28 from the fee hereinabove imposed solely to support proper

29 management of their official records in accordance with records
30 management standards established by the Department of Archives and
31 History. Monies in the Local Government Records Management Fund
32 shall be expended by the Department of Archives and History,
33 pursuant to legislative appropriation, to support the Local
34 Government Records Office of the department and to support a local
35 records management grant program as funds permit.

36 (2) The fee provided in subsection (1) of this section shall
37 not be collected in any county until the board of supervisors, by
38 resolution spread upon its minutes, determines that it will
39 collect the fee.

40 (3) Each municipality and participating county may collect
41 the filing fee provided for in this section on filings in any
42 court subject to their respective jurisdiction.

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