

**Senate Amendments to House Bill No. 1175**

**TO THE CLERK OF THE HOUSE:**

**THIS IS TO INFORM YOU THAT THE SENATE HAS ADOPTED THE AMENDMENTS SET OUT BELOW:**

**AMENDMENT NO. 1**

**Amend by striking all after the enacting clause and inserting in lieu thereof the following:**

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, each deed of  
14 trust, or any other document, for the first five (5)  
15 pages .....\$ 25.00

16                               (ii) Each additional page.....\$ 1.00

17                   (c) (i) Recording oil and gas leases, cancellations,  
18 etc., including indexing in general indices; for the first \* \* \*  
19 five (5) pages.....\$ \* \* \* 25.00

20                               (ii) Recording each oil and gas assignment,  
21 amendment of assignment, release, etc., first five (5)

22 pages.....\$ 25.00

23 per additional assignee.....\$ 18.00

24           (iii) Each additional page.....\$ 1.00

25           ( \* \* \*iv) Sectional index entries per section or

26 subdivision lot .....\$ 1.00

27           ( \* \* \*v) \* \* \* Archive fee.....\$ \* \* \* 1.00

28           (vi) Entering marginal notations, if requested on

29 document or by cover letter, pertaining to the recording of any

30 oil and gas document only per book and page.....\$ 4.00

31           (d) (i) Furnishing copies of any papers of record or

32 on file:

33                   If performed by the clerk or his employee,

34 per page.....\$ .50

35                   If performed by any other person,

36 per page.....\$ .25

37           (ii) Entering marginal notations on

38 documents of record.....\$ 1.00

39           (e) For each day's attendance on the board of

40 supervisors, for himself and one (1) deputy, each.....\$ 20.00

41           (f) 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           (g) 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  
48 two (2) deputies, each.....\$ 85.00

49 For the second chancellor sitting,  
50 clerk only.....\$ 85.00

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

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

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

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

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

68 (2) The following fee shall be a total fee for all services  
69 performed by the clerk with respect to any civil case filed that  
70 includes, but is not limited to, divorce, alteration of birth or  
71 marriage certificate, removal of minority, guardianship or  
72 conservatorship, estate of deceased, adoption, land dispute

73 injunction, settlement of small claim, contempt, modification,  
74 partition suit, or commitment, which shall be payable upon filing  
75 and shall accrue to the chancery clerk at the time of filing. The  
76 clerk or his successor in office shall perform all duties set  
77 forth without additional compensation or  
78 fee.....\$ 85.00

79 (3) For every civil case filed:

80 (a) An additional fee to be deposited to the credit of  
81 the Comprehensive Electronic Court Systems Fund established in  
82 Section 9-21-14.....\$ 10.00

83 (b) An additional fee to be deposited to the  
84 credit of the Judicial System Operation Fund established in  
85 Section 9-21-45.....\$ 40.00

86 (4) Cost of process shall be borne by the issuing party.  
87 Additionally, should the attorney or person filing the pleadings  
88 desire the clerk to pay the cost to the sheriff for serving  
89 process on one (1) person or more, or to pay the cost of  
90 publication, the clerk shall demand the actual charges therefor,  
91 at the time of filing.

92 **SECTION 2.** This act shall take effect and be in force from  
93 and after its passage.

**Further, amend by striking the title in its entirety and  
inserting in lieu thereof the following:**

1 AN ACT TO AMEND SECTION 25-7-9, MISSISSIPPI CODE OF 1972, TO  
2 REVISE CHANCERY COURT CLERK FEES CHARGED FOR RECORDING EACH OIL  
3 AND GAS ASSIGNMENT; AND FOR RELATED PURPOSES.

SS26\HB1175A.1J

Eugene S. Clarke  
Secretary of the Senate