

By: Representatives Sanford, Mickens

To: Judiciary B

COMMITTEE SUBSTITUTE
FOR
HOUSE BILL NO. 1403

1 AN ACT TO AMEND SECTION 25-7-25, MISSISSIPPI CODE OF 1972, TO
2 REVISE CERTAIN FILING FEES FOR JUSTICE COURT; AND FOR RELATED
3 PURPOSES.

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

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

7 **[Until June 30, 2025, this section shall read as follows:]**

8 25-7-25. (1) Costs and fees in the justice court shall be
9 charged as follows and shall be paid in advance to the clerk of
10 the justice court in accordance with the provisions of Section
11 9-11-10:

12 (a) A uniform total fee in all civil cases, whether
13 contested or uncontested, which shall include all services in
14 connection therewith, except as hereinafter stated,
15 each * * *..... 45.00

16 (b) For more than one (1) defendant, for service of
17 process on each defendant..... 5.00



18 (c) After final judgment has been enrolled, further
19 proceedings involving levy of execution on judgments, and
20 attachment and garnishment proceedings..... 15.00

21 (d) For all services in connection with the issuance of
22 a peace bond..... 25.00

23 (e) For celebrating a marriage, and certificate
24 thereof..... 10.00

25 (f) Commission to take depositions..... 5.00

26 (g) Appeal with proceedings and bond..... 5.00

27 (h) A clerk's fee to be collected in all criminal cases
28 in which the defendant is convicted, as follows:

29 (i) For all violations in Title 63 other than
30 driving under the influence of intoxicating liquor or reckless
31 driving..... * * * 10.00

32 (ii) All other criminal cases..... 25.00

33 (2) The justice court shall have the power to impose a fee
34 not to exceed Fifty Dollars (\$50.00) for an expungement or
35 dismissal of any criminal affidavit, complaint or charge.

36 (3) In addition to the salary provided for in subsection (1)
37 of Section 25-3-36, each justice court judge may receive a fee of
38 not more than Twenty-five Dollars (\$25.00) for each marriage
39 ceremony he performs in the courtroom or offices of the justice
40 court at any time the courtroom or offices are open to the public.
41 This fee shall be paid by the parties to the marriage. Each
42 justice court judge may receive money or gratuities for marriage



43 ceremonies performed outside of and away from the courtroom and
44 the offices of the justice court, that the parties to the marriage
45 request to have performed at any time the courtroom or offices of
46 the justice court are closed. These monies or gratuities, in an
47 amount agreed upon by the parties to the marriage, are not
48 considered fees for the justice court and are not subject to the
49 requirements set forth in the provisions of Section 9-11-10.

50 **[From July 1, 2025, until June 30, 2026, this section shall**
51 **read as follows:]**

52 25-7-25. (1) Costs and fees in the justice court shall be
53 charged as follows and shall be paid in advance to the clerk of
54 the justice court in accordance with the provisions of Section
55 9-11-10:

56 (a) A uniform total fee in all civil cases, whether
57 contested or uncontested, which shall include all services in
58 connection therewith, except as hereinafter stated,
59 each.....\$ * * * 55.00

60 (b) For more than one (1) defendant, for service of
61 process on each defendant..... 5.00

62 (c) After final judgment has been enrolled, further
63 proceedings involving levy of execution on judgments, and
64 attachment and garnishment proceedings 15.00

65 (d) For all services in connection with the issuance of
66 a peace bond..... 25.00

67 (e) For celebrating a marriage, and certificate



68 thereof..... 10.00

69 (f) Commission to take depositions..... 5.00

70 (g) Appeal with proceedings and bond..... 5.00

71 (h) A clerk's fee to be collected in all criminal cases

72 in which the defendant is convicted, as follows:

73 (i) For all violations in Title 63 other than

74 driving under the influence of intoxicating liquor or reckless

75 driving..... * * * 12.50

76 (ii) All other criminal cases..... 25.00

77 (2) The justice court shall have the power to impose a

78 fee not to exceed Fifty Dollars (\$50.00) for an expungement or

79 dismissal of any criminal affidavit, complaint or charge.

80 (3) In addition to the salary provided for in subsection (1)

81 of Section 25-3-36, each justice court judge may receive a fee of

82 not more than Twenty-five Dollars (\$25.00) for each marriage

83 ceremony he performs in the courtroom or offices of the justice

84 court at any time the courtroom or offices are open to the public.

85 This fee shall be paid by the parties to the marriage. Each

86 justice court judge may receive money or gratuities for marriage

87 ceremonies performed outside of and away from the courtroom and

88 the offices of the justice court, that the parties to the marriage

89 request to have performed at any time the courtroom or offices of

90 the justice court are closed. These monies or gratuities, in an

91 amount agreed upon by the parties to the marriage, are not



92 considered fees for the justice court and are not subject to the
93 requirements set forth in the provisions of Section 9-11-10.

94 **[From and after July 1, 2026, this section shall read as**
95 **follows:]**

96 25-7-25. (1) Costs and fees in the justice court shall be
97 charged as follows and shall be paid in advance to the clerk of
98 the justice court in accordance with the provisions of Section
99 9-11-10:

100 (a) A uniform total fee in all civil cases, whether
101 contested or uncontested, which shall include all services in
102 connection therewith, except as hereinafter stated,
103 each.....\$ * * * 65.00

104 (b) For more than one (1) defendant, for service of
105 process on each defendant..... 5.00

106 (c) After final judgment has been enrolled, further
107 proceedings involving levy of execution on judgments, and
108 attachment and garnishment proceedings..... 15.00

109 (d) For all services in connection with the issuance of
110 a peace bond..... 25.00

111 (e) For celebrating a marriage, and certificate
112 thereof..... 10.00

113 (f) Commission to take depositions..... 5.00

114 (g) Appeal with proceedings and bond..... 5.00

115 (h) A clerk's fee to be collected in all criminal cases
116 in which the defendant is convicted, as follows:



117 (i) For all violations in Title 63 other than
118 driving under the influence of intoxicating liquor or reckless
119 driving..... * * * 15.00

120 (ii) All other criminal cases..... 25.00

121 (2) The justice court shall have the power to impose a fee
122 not to exceed Fifty Dollars (\$50.00) for an expungement or
123 dismissal of any criminal affidavit, complaint or charge.

124 (3) In addition to the salary provided for in subsection (1)
125 of Section 25-3-36, each justice court judge may receive a fee of
126 not more than Twenty-five Dollars (\$25.00) for each marriage
127 ceremony he performs in the courtroom or offices of the justice
128 court at any time the courtroom or offices are open to the public.
129 This fee shall be paid by the parties to the marriage. Each
130 justice court judge may receive money or gratuities for marriage
131 ceremonies performed outside of and away from the courtroom and
132 the offices of the justice court, that the parties to the marriage
133 request to have performed at any time the courtroom or offices of
134 the justice court are closed. These monies or gratuities, in an
135 amount agreed upon by the parties to the marriage, are not
136 considered fees for the justice court and are not subject to the
137 requirements set forth in the provisions of Section 9-11-10.

138 **SECTION 2.** This act shall take effect and be in force from
139 and after July 1, 2024.

