

Senate Bill 195

By: Senators Hall of the 22nd, Lee of the 29th and Jackson of the 50th

A BILL TO BE ENTITLED
AN ACT

1 To amend Article 2 of Chapter 6 of Title 15 of the Official Code of Georgia Annotated,
2 relating to clerks of the superior courts, so as to repeal a certain sunset provision relative to
3 fees, the implementation of a state-wide uniform automated information system, and the
4 collection and remittance of certain fees; to repeal conflicting laws; and for other purposes.

5 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

6 SECTION 1.

7 Article 2 of Chapter 6 of Title 15 of the Official Code of Georgia Annotated, relating to
8 clerks of the superior courts, is amended by striking in their entirety subsections (f) and (f.1)
9 of Code Section 15-6-77, relating to fees and the construction of other fee provisions, and
10 inserting in lieu thereof the following:

11 "(f) Sums ~~Until January 1, 2006, sums~~ for filing documents, instruments, etc., pertaining
12 to real estate or personal property, such sums to include recording and returning where
13 applicable, shall be as follows:

- 14 (1)(A)(i) Filing all instruments pertaining to real estate including deeds,
15 deeds of trust, affidavits, releases, notices and certificates, and cancellation
16 of deeds, first page \$ 9.50
17 Each page, after the first 2.00
- 18 (ii) Filing all instruments pertaining to real estate and personal property
19 including liens on real estate and personal property, notice filings for
20 Uniform Commercial Code related real estate, tax liens, hospital liens, writs
21 of fieri facias, notices of lis pendens, written information on utilities,
22 cancellations of liens, and writs of fieri facias, first page 4.50
23 Each page, after the first 2.00

1 (B) Filing and indexing financing statements, amendments to financing
2 statements, continuation statements, termination statements, release of
3 collateral, or other filing pursuant to Article 9 of Title 11, first page 10.00
4 Each page, after the first 2.00
5 (2) Filing maps or plats, each page 7.50
6 (3) For processing an assignment of a security deed, for each deed assigned 4.50
7 ~~(f.1) On and after January 1, 2006, sums for filing documents, instruments, etc., pertaining~~
8 ~~to real estate or personal property, such sums to include recording and returning where~~
9 ~~applicable, shall be as follows:~~

10 ~~(1)(A) Filing all instruments pertaining to real estate and personal property~~
11 ~~except as otherwise specified in this Code section, including but not limited to~~
12 ~~the filing of deeds, deeds of trust, affidavits, releases, notices, certificates, liens~~
13 ~~on real estate and personal property, notice filings for Uniform Commercial~~
14 ~~Code related real estate, tax liens, hospital liens, writs of fieri facias, notices~~
15 ~~of lis pendens, written information on utilities, and cancellation of deeds, liens,~~
16 ~~and writs of fieri facias, first page \$ 4.50~~
17 ~~Each page, after the first 2.00~~

18 ~~(B) Filing and indexing financing statements, amendments to financing~~
19 ~~statements, continuation statements, termination statements, release of~~
20 ~~collateral, or other filing pursuant to Part 4 of Article 9 of Title 11, first~~
21 ~~page 10.00~~
22 ~~Each page, after the first 2.00~~
23 ~~(2) Filing maps or plats, each page 7.50~~
24 ~~(3) For processing an assignment of a security deed, for each deed assigned 4.50"~~

25 **SECTION 2.**

26 Said article is further amended by striking in its entirety subsection (c) of Code Section
27 15-6-97, relating to the development and implementation of a state-wide uniform automated
28 information system and additional duties of the Georgia Superior Court Clerks' Cooperative
29 Authority, which reads as follows:

30 "(c) This Code section shall be repealed in its entirety on January 1, 2006."

31 **SECTION 3.**

32 Said article is further amended by striking in its entirety subsection (d) of Code Section
33 15-6-98, relating to the collection of certain fees and the remittance of real estate or personal

1 property filing fees to the Georgia Superior Court Clerks' Cooperative Authority, which
2 reads as follows:

3 "(d) This Code section shall be repealed in its entirety on January 1, 2006."

4 **SECTION 4.**

5 All laws and parts of laws in conflict with this Act are repealed.