

House Bill 288

By: Representatives Powell of the 32nd, Silcox of the 52nd, Dollar of the 45th, Dreyer of the 59th, and Kendrick of the 93rd

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 superior courts, so as to revise the sums that the clerks of the superior
3 courts are entitled to charge and collect for filing documents and instruments pertaining to
4 real estate or personal property; to provide for a flat sum structure; to repeal certain related
5 alternative fees; to provide for related matters; to repeal conflicting laws; and for other
6 purposes.

7 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

8 SECTION 1.

9 Article 2 of Chapter 6 of Title 15 of the Official Code of Georgia Annotated, relating to
10 clerks of superior courts, is amended by revising subsection (f) of Code Section 15-6-77,
11 relating to fees and construction of other fee provisions, as follows:

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

15	(1)(A)(i) Filing all instruments pertaining to real estate including deeds,	
16	deeds of trust, affidavits, releases, notices and certificates, and cancellation	\$ 9.50
17	of deeds, first page	<u>25.00</u>
18	Each page, after the first	2.00
19	(ii) Filing all instruments pertaining to real estate and personal property	
20	including liens on real estate and personal property, notice filings for	
21	Uniform Commercial Code related real estate, tax liens, hospital liens, writs	
22	of fieri facias, notices of lis pendens, written information on utilities,	4.50
23	cancellations of liens, and writs of fieri facias, first page	<u>25.00</u>
24	Each page, after the first	2.00

25 (B) Filing and indexing financing statements, amendments to financing
 26 statements, continuation statements, termination statements, release of ~~10.00~~
 27 collateral, or other filing pursuant to Article 9 of Title 11, ~~first page~~ 25.00
 28 ~~Each page, after the first~~ ~~2.00~~
 7.50
 29 (2) Filing maps or plats, ~~each page~~ 25.00
 4.50
 30 (3) For processing an assignment of a security deed, ~~for each deed assigned~~ 25.00"

31 **SECTION 2.**

32 Said article is further amended by revising subsection (c) of Code Section 15-6-77.3, relating
 33 to additional fees in counties with populations in unincorporated areas of 350,000 or more,
 34 as follows:

35 "(c) In lieu of the fees specified by Code Section 15-6-77 for the clerk's services listed
 36 below, the clerk of the superior court of counties described in subsection (a) of this Code
 37 section shall be entitled to charge and collect the following fees for official duties
 38 performed by the clerk in providing such services:

39 ~~(1) Recording and returning to sender all instruments pertaining to real estate and~~
 40 ~~deeds of trust or amendments thereto, in accordance with Code Section~~
 41 ~~53-12-152, each page~~ ~~\$ 5.00~~

42 ~~(2) Recording maps or plats~~ ~~10.00~~

43 ~~The fee for recording maps or plats shall include the fee required by Code~~
 44 ~~Section 47-14-51.~~

45 ~~(3) Filing and indexing financing statements and for stamping a copy furnished~~
 46 ~~by the second party to show the date and place of filing for an original or a~~
 47 ~~continuation statement, as provided in Article 9 of Title 11, first page~~ ~~5.00~~
 48 ~~Each page, after the first~~ ~~.50~~

49 ~~(4)~~(1) Issuing certificates of appointment and reappointment to notaries public, ~~8.00~~
 50 as provided by Code Section 45-17-4 \$ 8.00

51 ~~(5)~~(2) Registering and filing trade names pursuant to Code Section 10-1-490 25.00

52 ~~(6)~~(3) Entering writ of fieri facias on general execution docket 5.00"

53 **SECTION 3.**

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