

State of Arkansas

76th General Assembly

Regular Session, 1987

HOUSE BILL 1951

By: Representative Wingfield

"AN ACT TO PRESCRIBE FEES TO BE CHARGED BY CIRCUIT AND CHANCERY
CLERKS AND BY COUNTY RECORDERS; AND FOR OTHER PURPOSES."

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:

SECTION 1. Section 1 of Act 333 of 1977, as amended, the same being
Arkansas Statutes 12-1710.2, is hereby amended to read as follows:

"Section 1. The Uniform Advance Fees to be charged by the clerks of the
circuit and chancery courts for initiating or reopening a cause of action in
the circuit and chancery courts in the State shall be as hereinafter
prescribed, and no portion of said Advance Fees shall be refunded:

(a) For initiating a cause of action in the circuit court, forty dollars
(\$40.00).

(b) For initiating a cause of action in the chancery court (equity or
domestic relations), forty dollars (\$40.00).

(c) For initiating an ex parte cause of action in the chancery court,
twelve dollars (\$12.00).

(d) For reopening a cause of action in the chancery court, twelve
dollars (\$12.00).

Provided, if and when any cause of action, either in the circuit court or
chancery court, becomes unusually lengthy and the filings in regard thereto
become so voluminous that the Uniform Advance Fee prescribed herein for such
cause of action becomes inadequate to cover the schedule of fees set forth in
Section 1 of Act 55 of 1945, as amended, additional fees may be assessed for
each additional filing in such lengthy cases in accordance with the schedule
of fees set forth in Section 1 of Act 55 of 1945, as amended. Provided
further, the Uniform Advance Fees prescribed herein shall include all extra
fees now authorized by law, except the additional cost levied for deposit in
the Court Reporters' Fund in the State Treasury for the payment of salaries

and expense allowances of official court reporters, including but not limited to those fees authorized for assessment for continuing legal education, County Law Library Fund, court reporter, Justice Building, and Bureau of Vital Statistics-Domestic Relations, and such fees shall be paid out of the Uniform Advance Fees provided herein and shall not be paid in addition to the Uniform Fees."

SECTION 2. Section 2 of Act 55 of 1945, as amended, the same being Arkansas Statutes 12-1720, is hereby amended to read as follows:

"Section 2. The uniform fees to be charged by the county recorders in the various counties in this State shall be as follows:

(a) For recording deeds, deeds of trust, mortgages, release deeds, power of attorney, and other recordable instruments, except as hereinafter prescribed, \$4.00 for one page (one side only) and \$2.00 for each additional page.

(b) For filing or recording all other instruments than those prescribed in subsection (a) hereof which are normally placed of record in the recorder's office:

- (1) Plats: When measurements exceed 8|x14, \$10.00
- (2) Survey plats: 8|x14 or smaller, \$6.00
- (3) Materialman's lien and certificate of assessment, \$6.00
- (4) Notary bond, \$6.00
- (5) Judgments (Foreign), \$6.00
- (6) Writs of garnishment or execution of garnishment, \$10.00
- (7) For entering satisfaction of record (marginal), \$.50"

SECTION 3. Section 1 of Act 998 of 1979, the same being Arkansas Statutes 85-9-401.1 is hereby amended to read as follows:

"Section 1. In all sections of Article 9 of Act 185 of 1961, as amended, where the fee prescribed for filing, indexing, furnishing file data, or lien search certificate is \$2.00 the fee shall on and after July 1, 1987, be \$6.00. Provided, notwithstanding the provisions of Section 9-406 of Act 185 of 1961, as amended, effective July 1, 1987, there shall be no fee charged for filing and noting a statement of release of collateral."

SECTION 4. All laws and parts of laws in conflict with this Act are

hereby repealed.

SECTION 5. EMERGENCY. It is hereby found and determined by the General Assembly that the fees currently charged for filing and recording instruments, for the initiation of actions in the circuit and chancery courts, and for other official functions of the circuit and chancery clerks are inadequate and should be increased immediately. Therefore, an emergency is hereby declared to exist and this Act being necessary for the preservation of the public peace, health and safety shall be in full force and effect from and after its passage and approval.

