

2016 Regular Session

HOUSE BILL NO. 720

BY REPRESENTATIVE GAROFALO

CLERKS OF COURT: Provides relative to fees by clerks of court

1 AN ACT

2 To amend and reenact R.S. 13:844 and to repeal R.S. 9:5217 and R.S. 44:181.4, relative to  
3 clerks of court; to provide for fees as ex officio recorders; to provide for a schedule  
4 of fees; and to provide for related matters.

5 Be it enacted by the Legislature of Louisiana:

6 Section 1. R.S. 13:844 is hereby amended and reenacted to read as follows:

7 §844. Fees of ex officio recorders

8 A.(1) For filing and recording any document in the conveyance or mortgage  
9 records, each parish clerk of court, as ex officio recorder of mortgages and  
10 conveyances, shall charge the following fees: ~~Clerks of the district courts as ex~~  
11 ~~officio recorders may charge the following fees:~~

12 ~~(1) For filing and recording any document, twenty-five dollars per book for~~  
13 ~~the first page and ten dollars for each subsequent page per book up to ten pages. All~~  
14 ~~documents that exceed ten pages, twenty-five dollars for the first page and eight~~  
15 ~~dollars for each subsequent page.~~

16 ~~(2) For indexing of all documents filed for record for each name after the~~  
17 ~~first name that is required to be indexed, five dollars per name.~~

18 (a) One page document with up to ten names indexed: fifty dollars.

19 (b) Two to five page document with up to ten names indexed: seventy-five  
20 dollars.

1           (c) Six to ten page document with up to ten names indexed: one hundred  
2           dollars.

3           (d) Eleven to twenty page document with up to ten names indexed: one  
4           hundred fifty dollars.

5           (e) Twenty one to thirty page document with up to ten names indexed: two  
6           hundred twenty-five dollars.

7           (f) Thirty one page to forty page document with up to ten names indexed:  
8           three hundred dollars.

9           (g) Forty one page to fifty page document with up to ten names indexed:  
10          four hundred dollars.

11          (h) Fifty one page to sixty page document with up to ten names indexed:  
12          five hundred dollars.

13          (i) For documents in excess of sixty pages, there shall be an additional  
14          charge of one hundred dollars for each additional fifty pages in the document filed  
15          and recorded.

16          (2) If the document requires the indexing of more than ten names, there shall  
17          be an additional charge of fifty dollars for each additional increment of ten names  
18          in excess of the first ten names in the recorded document.

19          (3) The filing fees provided in this Subsection shall include providing the  
20          filer with one file-stamped conforming copy and one certified copy without  
21          additional charge, and the filing fee shall include providing copies, if needed, for the  
22          first file-stamped conforming copy and the first certified copy. For additional file-  
23          stamped conforming copies, there shall be a fee of ten dollars per document. For  
24          additional certified copies, there shall be a fee of fifteen dollars. If copies are  
25          produced by the clerk of court, he shall be entitled to a fee of twenty-five cents per  
26          page of the copies produced.

27          (4) Documents to be recorded may be on either standard-size paper (eight  
28          and a half by eleven inches) or legal-size paper (eight and a half by fourteen inches)

1        and the recording fees provided in this Section shall be the same regardless of which  
2        size paper is used.

3                (5) Additional documents attached to the document as exhibits, addenda, or  
4        riders shall be included as part of the document for filing, and the pages of the  
5        additional documents shall be included in the total pages of the document for  
6        calculating the appropriate filing fee.

7                (6) If a document is to be filed in both the mortgage and conveyance records,  
8        the fees set forth in this Section shall be assessed separately for recording in the  
9        mortgage records and in the conveyance records.

10               B. Clerks of the district courts as ex officio recorders may charge the  
11        following other fees:

12               ~~(3)~~(1) For notarizing acknowledgments of acts executed under private  
13        signature, with seal and certificate, five dollars.

14               ~~(4)~~(2) For certificate of real estate mortgage and lien certificate with seal, for  
15        each name in which search is made, and for one definable property only, twenty  
16        dollars for the first name and ten dollars for each additional name. There shall be an  
17        additional charge of one dollar per exception in the event that more than ten  
18        exceptions are contained on a certificate.

19               ~~(5)~~(3) Notwithstanding any other provision of law to the contrary, there shall  
20        be a fee of thirty dollars for the recordation of an act or affidavit to cancel a  
21        mortgage or for the partial release of a mortgage. The fee shall include providing the  
22        filer with one file-stamped conforming copy. ~~For canceling real estate mortgage~~  
23        with original note, ten dollars.

24               ~~(6)~~(4) Except as provided in Subsection A of this Section, for ~~For~~ making  
25        copies of all official documents, no more than two dollars per page.

26               ~~(7)~~(5) Except as provided in Subsection A of this Section, for ~~For~~ attesting  
27        any record or copy thereof, five dollars.

28               ~~(8)~~(6) For canceling of lien for paving or installation of sewerage system, ten  
29        dollars.



Present law provides that the clerks of district courts as ex officio recorders may charge fees for filing, recording, notarizing, copying, and indexing certain documents. Further provides for the collection of fees for certain real estate transactions.

Proposed law provides for a schedule of fees, depending upon the size of the documents or the number of names associated with a document.

Present law provided for an additional \$10 noncompliance fee per document.

Proposed law deletes this present law fee.

Present law authorize the clerk of the 24<sup>th</sup> JDC to charge additional fees to be used for the payment of salaries of deputy clerks of court in Jefferson Parish.

Proposed law deletes present law.

Present law contains a recorder's fees for multiple indebtedness mortgages and requires the collection of charges and fees for the recordation of records and documents in the parish of Orleans on January 1, 2009.

Proposed law repeals present law.

(Amends R.S. 13:844; Repeals R.S. 9:5217 and R.S. 44:181.4)