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HOUSE BILL NO. 2275

House Amendments in [] — February 6, 1995

A BILL to amend and reenact §§ 14.1-112, as it is currently effective and as it may become effective, and 37.1-129 of the Code of Virginia and to amend the Code of Virginia by adding sections numbered 14.1-134.1 and 18.2-264.01, relating to filing fees received by clerks of court.

Patron—McDonnell (By Request)

Referred to Committee for Courts of Justice

Be it enacted by the General Assembly of Virginia:

1. That §§ 14.1-112, as is currently effective and as it may become effective, and 37.1-129 of the Code of Virginia are amended and reenacted and that the Code of Virginia is amended by adding sections numbered 14.1-134.1 and 18.2-264.01 as follows:

§ 14.1-112. Clerks of circuit courts; generally.

A clerk of a circuit court shall, for services performed by virtue of his office, charge the following fees:

(1) When a writing is admitted to record under Chapter 2 (§ 17-33 et seq.) of Title 17, or Chapter 5 (§ 55-80 et seq.) or Chapter 6 (§ 55-106 et seq.) of Title 55, for everything relating to it, except the recording in the proper book; for receiving proof of acknowledgments, entering orders, endorsing clerk's certificate, and when required, embracing it in a list for the commissioner of the revenue, one dollar.

(2) For recording and indexing in the proper book any writing and all matters therewith, or for recording and indexing anything not otherwise provided for, thirteen dollars, including the fee of one dollar set forth in subdivision (1) for up to four pages and one dollar for each page over four pages, *and for recording plats too large to be recorded in the deed books, and for each sheet thereof, thirteen dollars. This fee shall be in addition to the fee for recording a deed or other instrument recorded in conjunction with such plat sheet or sheets including the fee of one dollar set forth in subdivision (1).* Only a single fee as authorized by this subdivision shall be charged for recording a certificate of satisfaction that releases the original deed of trust and any corrected or revised deeds of trust. In addition, a fee of one dollar shall be charged for indexing any document for each name indexed exceeding a total of ten in number. One dollar of the fee collected for recording and indexing shall be designated for use in preserving the permanent records of the circuit courts. The sum collected for this purpose shall be administered by The Library of Virginia in cooperation with the circuit court clerks.

(3) [Repealed.]

(4) For appointing and qualifying any personal representative, committee, trustee, guardian, or other fiduciary, in addition to any fees for recording allowed by this section, twenty dollars for estates not exceeding \$50,000, twenty-five dollars for estates not exceeding \$100,000 and thirty dollars for estates exceeding \$100,000. No fee shall be charged for estates of \$5,000 or less.

(5) For entering and granting and for issuing any license, other than a marriage license or a hunting and fishing license, and administering an oath when necessary, ten dollars.

(6) For issuing a marriage license, attaching certificate, administering or receiving all necessary oaths or affidavits, indexing and recording, ten dollars.

(7) For making out any bond, other than those under § 14.1-90 or subdivision (5) of this section, administering all necessary oaths and writing proper affidavits, three dollars.

(8) For issuing any execution, and recording the return thereof, \$1.50 and for all services rendered by the clerk in any garnishment or attachment proceeding the clerk's fee shall be fifteen dollars in cases not exceeding \$500 and twenty-five dollars in all other cases.

(9) [Repealed.]

(10) For making out a copy of any paper or record to go out of the office, which is not otherwise specifically provided for, for each page, a fee of fifty cents shall be charged.

(11) For annexing the seal of the court to any paper, writing the certificate of the clerk accompanying it, the clerk shall charge two dollars and for attaching the certificate of the judge, if the clerk is requested to do so, the clerk shall charge an additional fifty cents.

(12) through (14) [Repealed.]

(15) Upon conviction in felony cases the clerk shall charge the defendant thirty-two dollars in each case.

In addition, in each case in which a person is convicted of a violation of any provision of Article 1 (§ 18.2-247 et seq.) of Chapter 7 of Title 18.2, the clerk shall assess (i) a fee of \$100 for each felony conviction and each felony disposition under § 18.2-251 and (ii) a fee of \$100 per case for any forensic

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laboratory analysis performed for use in prosecution of such violation. Such fees shall be taxed as costs to the defendant and shall be paid into the general fund of the state treasury.

In addition, in all felony cases, the clerk shall collect and tax as costs (i) the expense of reporting or recording the trial in an amount equal to the per diem charges of the reporter or reasonable charge attributable to the cost of operating the mechanical or electronic devices in accordance with § 19.2-165, (ii) a fee of two dollars and fifty cents per charge, (iii) the fees of the attorney for the Commonwealth as provided for in § 14.1-121, (iv) the compensation of court-appointed counsel as provided in § 19.2-163, (v) the fees of the public defenders as provided for in § 19.2-163.2, (vi) the additional costs per charge imposed under § 19.2-368.18 to be deposited into the Criminal Injuries Compensation Fund, and (vii) in any court of record in which electronic devices are used for the purpose of recording testimony, a sum not to exceed twenty dollars for each day or part of a day of the trial to be paid by the clerk into a special fund to be used for the purpose of repairing, replacing or supplementing such electronic devices, or if a sufficient amount is available, to pay the purchase price of such devices in whole or in part. For the purpose of this subdivision, repairing shall include maintenance or service contracts.

(16) Upon conviction in misdemeanor cases, the clerk shall charge the defendant twenty-two dollars in each case.

In addition, in each case in which a person is convicted of a violation of any provision of Article 1 (§ 18.2-247 et seq.) of Chapter 7 of Title 18.2, the clerk shall assess (i) a fee of fifty dollars for each misdemeanor conviction and (ii) a fee of \$100 per case for any forensic laboratory analysis performed for use in prosecution of such violation. Such fees shall be taxed as costs to the defendant and shall be paid into the general fund of the state treasury.

In addition, for each misdemeanor case the clerk shall collect and tax as costs (i) the fees of the attorneys for the Commonwealth as provided for in § 14.1-121, (ii) the compensation of court-appointed counsel as provided in § 19.2-163, (iii) the fees of the public defenders as provided for in § 19.2-163.2, (iv) the additional costs imposed under § 19.2-368.18 to be deposited into the Criminal Injuries Compensation Fund, and (v) in any court in which electronic devices are used for the purpose of recording testimony, a sum not to exceed five dollars for each day or part of a day of the trial to be paid by the clerk into a special fund to be used for the purpose of repairing, replacing or supplementing such electronic devices, or if a sufficient amount is available, to pay the purchase price of such devices in whole or in part. For the purpose of this subdivision, repairing shall include maintenance or service contracts.

(16a) Upon the defendant's being required to successfully complete traffic school or a driver improvement clinic in lieu of a finding of guilty, the court shall charge the defendant fees and costs as if he had been convicted.

(17) In all actions at law the clerk's fee chargeable to the plaintiff shall be fifty dollars in cases not exceeding \$50,000, \$100 in cases not exceeding \$100,000, and \$150 in cases exceeding \$100,000; and in condemnation cases, a fee of twenty-five dollars, to be paid by the plaintiff at the time of instituting the action, this fee to be in lieu of any other fees. There shall be no fee charged for the filing of a cross-claim or setoff in any pending action. However, the fees prescribed by this subdivision shall be charged upon the filing of a counterclaim. The fees prescribed above shall be collected upon the filing of papers for the commencement of civil actions. This subdivision shall not be applicable to cases filed in the Supreme Court of Virginia.

(17a) In addition to the fees chargeable for actions at law, for the costs of proceedings for judgments by confession under §§ 8.01-432 through 8.01-440, the clerk shall tax as costs (i) the cost of registered or certified mail, (ii) the statutory writ tax, in the amount required by law to be paid on a suit for the amount of the confessed judgment, (iii) for the sheriff for serving each copy of the order entering judgment, one dollar and twenty-five cents, and (iv) for docketing the judgment and issuing executions thereon, the same fees as prescribed in subdivision (22) of this section.

(18) [Repealed.]

(19) For qualifying notaries public, including the making out of the bond and any copies thereof, administering the necessary oaths, and entering the order, ten dollars.

(20) For each habeas corpus proceeding, the clerk shall receive ten dollars for all services required thereunder. This subdivision shall not be applicable to such suits filed in the Supreme Court of Virginia.

(21) [Repealed.]

(22) For docketing and indexing a judgment from any other court of this Commonwealth, for docketing and indexing a judgment in the new name of a judgment debtor pursuant to the provisions of § 8.01-451, but not when incident to a divorce, for noting and filing the assignment of a judgment pursuant to § 8.01-452, a fee of five dollars; and for issuing an abstract of any recorded judgment, when proper to do so, a fee of five dollars; and for filing, docketing, indexing and mailing notice of a foreign judgment, a fee of twenty dollars.

(23) For all services rendered by the clerk in any court proceeding for which no specific fee is

provided by law, the clerk shall charge ten dollars, to be paid by the party filing said papers at the time of filing; however, this subdivision shall not be applicable in a divorce cause prior to and including the entry of a decree of divorce from the bond of matrimony.

(24) For receiving and processing an application for a tax deed, ten dollars.

(25) For all services rendered by the clerk in any condemnation proceeding instituted by the Commonwealth, twenty-five dollars.

(26), (27) [Repealed.]

(28) For making the endorsements on a forthcoming bond and recording the matters relating to such bond pursuant to the provisions of § 8.01-529, one dollar.

(29) For all services rendered by the clerk in any proceeding pursuant to § 57-8 or § 57-15, ten dollars.

(30) For preparation and issuance of a subpoena duces tecum or a summons for interrogation by an execution creditor, five dollars.

(31) For all services rendered by the clerk in matters under § 8.01-217 relating to change of name, twenty dollars; however, this subdivision shall not be applicable in cases where the change of name is incident to a divorce.

(32) For providing court records or documents on microfilm, per frame, ten cents.

(33) In all chancery causes, the clerk's fee chargeable to the plaintiff shall be fifty dollars to be paid by the plaintiff at the time of instituting the suit, which shall include the furnishing of a duly certified copy of the final decree. However, no fee shall be charged for the filing of a cross-bill in any pending suit. In divorce cases, when there is a merger of a divorce of separation a mensa et thoro into a decree of divorce a vinculo, the above mentioned fee shall include the furnishing of a duly certified copy of both such decrees.

(34) For the acceptance of credit cards in lieu of money to collect and secure all fees, fines, restitution, forfeiture, penalties and costs in accordance with § 19.2-353.3, the clerk shall collect a service charge of four percent of the amount paid.

(35) For the return of any check unpaid by the financial institution on which it was drawn or notice is received from the credit card issuer that payment will not be made for any reason, the clerk shall collect, if allowed by the court, a fee of ~~ten~~ twenty dollars or ten percent of the amount to be paid, whichever is greater, in accordance with § 19.2-353.3.

(36) For all services rendered in an adoption proceeding, a fee of twenty dollars, in addition to the fee imposed under § 63.1-236.1, to be paid by the petitioner or petitioners.

(37) For ~~reissuing a~~ issuing a duplicate license for one lost or destroyed as provided in § 29.1-334, a fee in the same amount as the fee for the original license.

(38) For the filing of any petition as provided in §§ 33.1-124, 33.1-125 and 33.1-129, a fee of five dollars to be paid by the petitioner; and for the recordation of a certificate or copy thereof, as provided for in § 33.1-122, as well as for any order of the court relating thereto, the clerk shall charge the same fee as for recording a deed as provided for in this section, to be paid by the party upon whose request such certificate is recorded or order is entered.

(39) For making up, certifying and transmitting original record pursuant to the Rules of the Supreme Court, including all papers necessary to be copied and other services rendered, a fee of twenty dollars.

(40) For issuance of hunting and trapping permits in accordance with § 10.1-1154, twenty-five cents.

(41) For filings, etc., under the Uniform Federal Lien Registration Act (§ 55-142.1 et seq.), the fees shall be as prescribed in that Act.

(42) For filing certificates of commencement of a bankruptcy case in accordance with § 55-142.01, a fee of one dollar.

(43) For filing the appointment of a resident agent for a nonresident property owner in accordance with § 55-218.1, a fee of one dollar.

(44) For filing power of attorney for service of process, or resignation or revocation thereof, in accordance with § 59.1-71, a fee of twenty-five cents.

(45) For recordation of certificate and registration of names of nonresident owners in accordance with § 59.1-74, a fee of ten dollars.

(46) For maintaining the information required under the Overhead High Voltage Line Safety Act (§ 59.1-406 et seq.), the fee as prescribed in § 59.1-411.

(47) For lodging, indexing and preserving a will in accordance with § 64.1-56, a fee of two dollars.

(48) For filing a financing statement in accordance with § 8.9-403, the fee shall be as prescribed under that section.

(49) For filing a termination statement in accordance with § 8.9-404, the fee shall be as prescribed under that section.

(50) For filing assignment of security interest in accordance with § 8.9-405, the fee shall be as prescribed under that section.

183 In accordance with § 14.1-133.2, the clerk shall collect fees under subdivisions (8), (15), (16), (17),
184 (20), (23) if applicable, (25), (29), (31), (33), (36), *and* (38); ~~and (41)~~ to be designated for courthouse
185 construction, renovation or maintenance.

186 In accordance with § 14.1-125.1, the clerk shall collect fees under subdivisions (8), (17), (20), (23) if
187 applicable, (25), (29), (31), (33), (36), *and* (38); ~~and (41)~~ to be designated for services provided for the
188 poor, without charge, by a nonprofit legal aid program.

189 In accordance with § 14.1-133.3, the clerk shall collect fees under subdivisions (15) and (16) to be
190 designated for the Intensified Drug Enforcement Jurisdiction Fund.

191 In accordance with § 42.1-70, the clerk shall collect fees under subdivisions (8), (17), (20), (23) if
192 applicable, (25), (29), (31), (33), (36), *and* (38); ~~and (41)~~ to be designated for public law libraries.

193 The provisions of this section shall control the fees charged by clerks of circuit courts for the
194 services above described.

195 § 14.1-112. (Delayed effective date) Clerks of circuit courts; generally.

196 A clerk of a circuit court shall, for services performed by virtue of his office, charge the following
197 fees:

198 (1) When a writing is admitted to record under Chapter 2 (§ 17-33 et seq.) of Title 17, or Chapter 5
199 (§ 55-80 et seq.) or Chapter 6 (§ 55-106 et seq.) of Title 55, for everything relating to it, except the
200 recording in the proper book; for receiving proof of acknowledgments, entering orders, endorsing clerk's
201 certificate, and when required, embracing it in a list for the commissioner of the revenue, one dollar.

202 (2) For recording and indexing in the proper book any writing and all matters therewith, or for
203 recording and indexing anything not otherwise provided for, thirteen dollars, including the fee of one
204 dollar set forth in subdivision (1) for up to four pages and one dollar for each page over four pages, *and*
205 *for recording plats too large to be recorded in the deed books, and for each sheet thereof, thirteen*
206 *dollars. This fee shall be in addition to the fee for recording a deed or other instrument recorded in*
207 *conjunction with such plat sheet or sheets including the fee of one dollar set forth in subdivision (1).*
208 Only a single fee as authorized by this subdivision shall be charged for recording a certificate of
209 satisfaction that releases the original deed of trust and any corrected or revised deeds of trust. In
210 addition, a fee of one dollar shall be charged for indexing any document for each name indexed
211 exceeding a total of ten in number. One dollar of the fee collected for recording and indexing shall be
212 designated for use in preserving the permanent records of the circuit courts. The sum collected for this
213 purpose shall be administered by The Library of Virginia in cooperation with the circuit court clerks.

214 (3) [Repealed.]

215 (4) For appointing and qualifying any personal representative, committee, trustee, guardian, or other
216 fiduciary, in addition to any fees for recording allowed by this section, twenty dollars for estates not
217 exceeding \$50,000, twenty-five dollars for estates not exceeding \$100,000 and thirty dollars for estates
218 exceeding \$100,000. No fee shall be charged for estates of \$5,000 or less.

219 (5) For entering and granting and for issuing any license, other than a marriage license or a hunting
220 and fishing license, and administering an oath when necessary, ten dollars.

221 (6) For issuing a marriage license, attaching certificate, administering or receiving all necessary oaths
222 or affidavits, indexing and recording, ten dollars.

223 (7) For making out any bond, other than those under § 14.1-90 or subdivision (5) of this section,
224 administering all necessary oaths and writing proper affidavits, three dollars.

225 (8) For issuing any execution, and recording the return thereof, \$1.50 and for all services rendered by
226 the clerk in any garnishment or attachment proceeding the clerk's fee shall be fifteen dollars in cases not
227 exceeding \$500 and twenty-five dollars in all other cases.

228 (9) [Repealed.]

229 (10) For making out a copy of any paper or record to go out of the office, which is not otherwise
230 specifically provided for, for each page, a fee of fifty cents shall be charged.

231 (11) For annexing the seal of the court to any paper, writing the certificate of the clerk
232 accompanying it, the clerk shall charge two dollars, and for attaching the certificate of the judge, if the
233 clerk is requested to do so, the clerk shall charge an additional fifty cents.

234 (12) through (14) [Repealed.]

235 (15) Upon conviction in felony cases the clerk shall charge the defendant thirty-two dollars in each
236 case.

237 In addition, in each case in which a person is convicted of a violation of any provision of Article 1
238 (§ 18.2-247 et seq.) of Chapter 7 of Title 18.2, the clerk shall assess (i) a fee of \$100 for each felony
239 conviction and each felony disposition under § 18.2-251, and (ii) a fee of \$100 per case for any forensic
240 laboratory analysis performed for use in prosecution of such violation. Such fees shall be taxed as costs
241 to the defendant and shall be paid into the general fund of the state treasury.

242 In addition, in all felony cases, the clerk shall collect and tax as costs (i) the expense of reporting or
243 recording the trial in an amount equal to the per diem charges of the reporter or reasonable charge
244 attributable to the cost of operating the mechanical or electronic devices in accordance with § 19.2-165,

(ii) a fee of two dollars and fifty cents per charge, (iii) the fees of the attorney for the Commonwealth as provided for in § 14.1-121, (iv) the compensation of court-appointed counsel as provided in § 19.2-163, (v) the fees of the public defenders as provided for in § 19.2-163.2, (vi) the additional costs per charge imposed under § 19.2-368.18 to be deposited into the Criminal Injuries Compensation Fund, and (vii) in any court of record in which electronic devices are used for the purpose of recording testimony, a sum not to exceed twenty dollars for each day or part of a day of the trial to be paid by the clerk into a special fund to be used for the purpose of repairing, replacing or supplementing such electronic devices, or if a sufficient amount is available, to pay the purchase price of such devices in whole or in part. For the purpose of this subdivision, repairing shall include maintenance or service contracts.

(16) Upon conviction in misdemeanor cases, the clerk shall charge the defendant twenty-two dollars in each case.

In addition, in each case in which a person is convicted of a violation of any provision of Article 1 (§ 18.2-247 et seq.) of Chapter 7 of Title 18.2, the clerk shall assess (i) a fee of fifty dollars for each misdemeanor conviction and (ii) a fee of \$100 per case for any forensic laboratory analysis performed for use in prosecution of such violation. Such fees shall be taxed as costs to the defendant and shall be paid into the general fund of the state treasury.

In addition, for each misdemeanor case the clerk shall collect and tax as costs (i) the fees of the attorneys for the Commonwealth as provided for in § 14.1-121, (ii) the compensation of court-appointed counsel as provided in § 19.2-163, (iii) the fees of the public defenders as provided for in § 19.2-163.2, (iv) the additional costs imposed under § 19.2-368.18 to be deposited into the Criminal Injuries Compensation Fund, and (v) in any court in which electronic devices are used for the purpose of recording testimony, a sum not to exceed five dollars for each day or part of a day of the trial to be paid by the clerk into a special fund to be used for the purpose of repairing, replacing or supplementing such electronic devices, or if a sufficient amount is available, to pay the purchase price of such devices in whole or in part. For the purpose of this subdivision, repairing shall include maintenance or service contracts.

(16a) Upon the defendant's being required to successfully complete traffic school or a driver improvement clinic in lieu of a finding of guilty, the court shall charge the defendant fees and costs as if he had been convicted.

(17) In all actions at law the clerk's fee chargeable to the plaintiff shall be fifty dollars in cases not exceeding \$50,000, \$100 in cases not exceeding \$100,000, and \$150 in cases exceeding \$100,000; and in condemnation cases, a fee of twenty-five dollars, to be paid by the plaintiff at the time of instituting the action, this fee to be in lieu of any other fees. There shall be no fee charged for the filing of a cross-claim or setoff in any pending action. However, the fees prescribed by this subdivision shall be charged upon the filing of a counterclaim. The fees prescribed above shall be collected upon the filing of papers for the commencement of civil actions. This subdivision shall not be applicable to cases filed in the Supreme Court of Virginia.

(17a) In addition to the fees chargeable in actions at law, for the costs of proceedings for judgments by confession under §§ 8.01-432 through 8.01-440, the clerk shall tax as costs (i) the cost of registered or certified mail, (ii) the statutory writ tax, in the amount required by law to be paid on a suit for the amount of the confessed judgment, (iii) for the sheriff for serving each copy of the order entering judgment, one dollar and twenty-five cents, and (iv) for docketing the judgment and issuing executions thereon, the same fees as prescribed in subdivision (22) of this section.

(18) [Repealed.]

(19) For qualifying notaries public, including the making out of the bond and any copies thereof, administering the necessary oaths, and entering the order, ten dollars.

(20) For each habeas corpus proceeding, the clerk shall receive ten dollars for all services required thereunder. This subdivision shall not be applicable to such suits filed in the Supreme Court of Virginia.

(21) [Repealed.]

(22) For docketing and indexing a judgment from any other court of this Commonwealth, for docketing and indexing a judgment in the new name of a judgment debtor pursuant to the provisions of § 8.01-451, but not when incident to a divorce, for noting and filing the assignment of a judgment pursuant to § 8.01-452, a fee of five dollars; and for issuing an abstract of any recorded judgment, when proper to do so, a fee of five dollars; and for filing, docketing, indexing and mailing notice of a foreign judgment, a fee of twenty dollars.

(23) For all services rendered by the clerk in any court proceeding for which no specific fee is provided by law, the clerk shall charge ten dollars, to be paid by the party filing said papers at the time of filing.

(24) For receiving and processing an application for a tax deed, ten dollars.

(25) For all services rendered by the clerk in any condemnation proceeding instituted by the

306 Commonwealth, twenty-five dollars.

307 (26), (27) [Repealed.]

308 (28) For making the endorsements on a forthcoming bond and recording the matters relating to such
309 bond pursuant to the provisions of § 8.01-529, one dollar.

310 (29) For all services rendered by the clerk in any proceeding pursuant to § 57-8 or § 57-15, ten
311 dollars.

312 (30) For preparation and issuance of a subpoena duces tecum or a summons for interrogation by an
313 execution creditor, five dollars.

314 (31) For all services rendered by the clerk in matters filed in circuit court under § 8.01-217 relating
315 to change of name, twenty dollars; however, this subdivision shall not be applicable in cases where the
316 change of name is incident to a divorce.

317 (32) For providing court records or documents on microfilm, per frame, ten cents.

318 (33) In all chancery cases, the clerk's fee chargeable to the plaintiff shall be fifty dollars to be paid
319 by the plaintiff at the time of instituting the suit, which shall include the furnishing of a duly certified
320 copy of the final decree. However, no fee shall be charged for the filing of a cross-bill in any pending
321 suit. In divorce cases, when there is a merger of a divorce of separation a mensa et thoro into a decree
322 of divorce a vinculo, the above mentioned fee shall include the furnishing of a duly certified copy of
323 both such decrees.

324 (34) For the acceptance of credit cards in lieu of money to collect and secure all fees, fines,
325 restitution, forfeiture, penalties and costs in accordance with § 19.2-353.3, the clerk shall collect a
326 service charge of four percent of the amount paid.

327 (35) For the return of any check unpaid by the financial institution on which it was drawn or notice
328 is received from the credit card issuer that payment will not be made for any reason, the clerk shall
329 collect, if allowed by the court, a fee of ~~ten~~ twenty dollars or ten percent of the amount to be paid,
330 whichever is greater, in accordance with § 19.2-353.3.

331 (36) For all services rendered in an adoption proceeding, a fee of twenty dollars, in addition to the
332 fee imposed under § 63.1-236.1, to be paid by the petitioner or petitioners.

333 (37) For ~~reissuing a~~ issuing a duplicate license for one lost or destroyed as provided in § 29.1-334,
334 a fee in the same amount as the fee for the original license.

335 (38) For the filing of any petition as provided in §§ 33.1-124, 33.1-125 and 33.1-129, a fee of five
336 dollars to be paid by the petitioner; and for the recordation of a certificate or copy thereof, as provided
337 for in § 33.1-122, as well as for any order of the court relating thereto, the clerk shall charge the same
338 fee as for recording a deed as provided for in this section, to be paid by the party upon whose request
339 such certificate is recorded or order is entered.

340 (39) For making up, certifying and transmitting original record pursuant to the Rules of the Supreme
341 Court, including all papers necessary to be copied and other services rendered, a fee of twenty dollars.

342 (40) For issuance of hunting and trapping permits in accordance with § 10.1-1154, twenty-five cents.

343 (41) For filings, etc., under the Uniform Federal Lien Registration Act (§ 55-142.1 et seq.), the fees
344 shall be as prescribed in that Act.

345 (42) For filing certificates of commencement of a bankruptcy case in accordance with § 55-142.01, a
346 fee of one dollar.

347 (43) For filing the appointment of a resident agent for a nonresident property owner in accordance
348 with § 55-218.1, a fee of one dollar.

349 (44) For filing power of attorney for service of process, or resignation or revocation thereof, in
350 accordance with § 59.1-71, a fee of twenty-five cents.

351 (45) For recordation of certificate and registration of names of nonresident owners in accordance with
352 § 59.1-74, a fee of ten dollars.

353 (46) For maintaining the information required under the Overhead High Voltage Line Safety Act
354 (§ 59.1-406 et seq.), the fee as prescribed in § 59.1-411.

355 (47) For lodging, indexing and preserving a will in accordance with § 64.1-56, a fee of two dollars.

356 (48) For filing a financing statement in accordance with § 8.9-403, the fee shall be as prescribed
357 under that section.

358 (49) For filing a termination statement in accordance with § 8.9-404, the fee shall be as prescribed
359 under that section.

360 (50) For filing assignment of security interest in accordance with § 8.9-405, the fee shall be as
361 prescribed under that section.

362 In accordance with § 14.1-133.2, the clerk shall collect fees under subdivisions (8), (15), (16), (17),
363 (20), (23) if applicable, (25), (29), (31), (33), (36), and (38); and (41) to be designated for courthouse
364 construction, renovation or maintenance.

365 In accordance with § 14.1-125.1, the clerk shall collect fees under subdivisions (8), (17), (20), (23) if
366 applicable, (25), (29), (31), (33), (36), and (38); and (41) to be designated for services provided for the
367 poor, without charge, by a nonprofit legal aid program.

In accordance with § 14.1-133.3, the clerk shall collect fees under subdivisions (15) and (16) to be designated for the Intensified Drug Enforcement Jurisdiction Fund.

In accordance with § 42.1-70, the clerk shall collect fees under subdivisions (8), (17), (20), (23) if applicable, (25), (29), (31), (33), (36), and (38), and (41) to be designated for public law libraries.

The provisions of this section shall control the fees charged by clerks of circuit courts for the services above described.

§ 14.1-134.1. Fees charged to drug offenders.

In each case in a [~~circuit court~~ of a] general district court in which a person is convicted of a violation of any provision of Article 1 (§ 18.2-247 et seq.) of Chapter 7 of Title 18.2, the clerk shall assess, in addition to any other fee, a fee of \$50 for each misdemeanor conviction and each misdemeanor disposition under § 18.2-251 which shall be included in the taxed costs. The clerk shall pay the fee to the state treasury.

§ 18.2-264.01. Charges for forensic laboratory analysis.

In all cases where a person is found guilty of a violation of this article (§ 18.2-247 et seq.), a fee of \$100 per case for any forensic laboratory analysis performed for use in prosecution of such violation shall be taxed as costs to the defendant and shall be paid into the general fund of the state treasury. For the purposes of this section, "guilty" includes any case where the defendant pleads guilty, receives a suspended imposition of sentence or is placed on probation without a judgment of guilt under § 18.2-251.

§ 37.1-129. Clerk to index findings of legal incompetency or restoration of competency; notice to Commissioner, Secretary of Board of Elections and CCRE.

A. A copy of the findings of the court, if the person is found to be legally incompetent, or restored to competency, shall be filed by the judge with the clerk of the court of the county or city in which deeds are admitted to record. The clerk shall properly index the same in the index to deed books by reference to the order book and page whereon such order is spread and shall immediately notify the Commissioner in accordance with § 37.1-147, and the Secretary of the State Board of Elections with such information as required by § 24.2-410.

B. The clerk shall certify and forward forthwith to the Central Criminal Records Exchange, on a form provided by the Exchange, a copy of any order adjudicating a person legally incompetent pursuant to § 37.1-128.02 or § 37.1-134 or mentally incapacitated under § 37.1-128.1 or § ~~37.1-134.2~~ 37.1-134.5 and any order of restoration of competency or capacity under § 37.1-134.1. The copy of the form and the order shall be kept confidential in a separate file and used only for the purpose of conducting a firearms transaction record check authorized by § 18.2-308.2:2.

ENGROSSED

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