

HOUSE BILL NO. 71
INTRODUCED BY ABRAMS

IN THE HOUSE

January 3, 1983	Introduced and referred to Committee on Judiciary.
January 10, 1983	Committee recommend bill do pass. Report adopted.
January 11, 1983	Bill printed and placed on members' desks.
	On motion rules suspended and bill placed on second reading this day.
	Second reading, do pass.
January 12, 1983	Considered correctly engrossed.
January 13, 1983	Third reading, passed. Transmitted to Senate.

IN THE SENATE

January 14, 1983	Introduced and referred to Committee on Judiciary.
January 25, 1983	Committee recommend bill be concurred in. Report adopted.
January 27, 1983	Second reading, concurred in.
January 29, 1983	Third reading, concurred in. Ayes, 48; Noes, 0.

IN THE HOUSE

January 29, 1983	Returned to House. Sent to enrolling.
	Reported correctly enrolled.

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4 A BILL FOR AN ACT ENTITLED: "AN ACT TO ESTABLISH A FILING
5 FEE TO BE PAID TO THE CLERK OF THE DISTRICT COURT FOR THE
6 FILING OF CERTAIN ITEMS BY A DOMICILIARY FOREIGN PERSONAL
7 REPRESENTATIVE OF THE ESTATE OF A NONRESIDENT DECEDENT;
8 AMENDING SECTION 25-1-201, MCA."

9
10 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

11 Section 1. Section 25-1-201, MCA, is amended to read:

12 "25-1-201. Fees of clerk of district court. (1) The
13 clerk of the district court shall collect the following
14 fees:

15 (a) at the commencement of each action or proceeding,
16 from the plaintiff or petitioner, \$20; and for filing a
17 complaint in intervention, from the intervenor, \$20;

18 (b) from each defendant or respondent, on his
19 appearance, \$10;

20 (c) on the entry of judgment, from the prevailing
21 party, \$10;

22 (d) for preparing copies of papers on file in his
23 office, 25 cents per page;

24 (e) for each certificate, with seal, 50 cents;

25 (f) for oath and jurat, with seal, 50 cents;

1 (g) for administering oath, 25 cents;
2 (h) for taking depositions, per folio, 20 cents;
3 (i) for filing and docketing a transcript of judgment
4 or abstract of judgment from all other courts, \$5;
5 (j) for issuing an execution or order of sale on a
6 foreclosure of a lien, \$2;
7 (k) for transmission of records or files or transfer
8 of a case to another court, \$5;
9 (l) for filing and entering papers received by
10 transfer from other courts, \$10;
11 (m) for issuing a marriage license, \$30;
12 (n) on the filing of an application for informal,
13 formal, or supervised probate or for the appointment of a
14 personal representative or the filing of a petition for the
15 appointment of a guardian or conservator, from the applicant
16 or petitioner, \$35, which includes the fee for filing a will
17 for probate;
18 (o) on the filing of the items required in 72-4-303 by
19 a domiciliary foreign personal representative of the estate
20 of a nonresident decedent, \$35.
21 (2) Except as provided in subsection (3), 40% of all
22 fees collected by the clerk of the district court shall be
23 deposited in and credited to the general fund of the county.
24 The remaining portion of the fees shall be remitted to the
25 state to be deposited as provided in 19-5-404.

1 (3) In the case of a fee collected for issuing a
2 marriage license, \$14 must be deposited in and credited to
3 the state general fund, \$6.40 must be deposited in and
4 credited to the county general fund, and \$9.60 must be
5 remitted to the state to be deposited as provided in
6 19-5-404."

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THIRD READING

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