

1981 WL 158209 (S.C.A.G.)

Office of the Attorney General

State of South Carolina

March 31, 1981

***1** Mr. Louis Rosen
Assistant Director
South Carolina Court Administration
Post Office Box 11788
Columbia, South Carolina 29211

Dear Louis:

Your letter referencing the question of the Saluda County Clerk of Court has been referred to me for response. In the letter you asked whether the proper fee to be paid for filing the list of mortgages referenced in [Section 12-49-240, Code of Laws of South Carolina, 1976](#), is 15¢ as required by [Section 12-49-250, Code of Laws of South Carolina, 1976](#), or \$4.00 as provided by Section 8-21-310(3) or [Section 8-21-310\(9\), Code of Laws of South Carolina, 1976, as amended](#).

In the opinion of this Office, the fee provided by [Section 12-49-250, supra](#), should be collected for filing the referenced list of mortgages. [Section 8-21-310, supra](#), states that the fees provided by such section are to be collected 'except as otherwise expressly provided . . .'. Therefore, it appears that inasmuch as the 15¢ fee is specifically provided, such fee should be charged in the above circumstances.

If there are any questions, please do not hesitate to contact me.

Sincerely,

Charles H. Richardson
Assistant Attorney General

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