

ASSEMBLY BILL NO. 94—COMMITTEE ON GOVERNMENT AFFAIRS

(ON BEHALF OF NEVADA ASSOCIATION OF COUNTIES)

FEBRUARY 12, 2001

Referred to Committee on Government Affairs

SUMMARY—Makes various changes regarding fees charged and collected by certain officials of local governments. (BDR 20-419)

FISCAL NOTE: Effect on Local Government: No.
Effect on the State: No.

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EXPLANATION – Matter in *bolded italics* is new; matter between brackets ~~omitted material~~ is material to be omitted.

AN ACT relating to local governments; authorizing a county recorder to charge and collect an additional fee to pay for the acquisition and improvement of technology used in the office of the county recorder; requiring the county recorder to charge and collect an additional fee to assist persons formerly in foster care; increasing the amount of certain fees charged and collected by certain officials of local governments; creating an account in the state general fund to assist persons formerly in foster care; and providing other matters properly relating thereto.

THE PEOPLE OF THE STATE OF NEVADA, REPRESENTED IN
SENATE AND ASSEMBLY, DO ENACT AS FOLLOWS:

- 1 **Section 1.** Chapter 247 of NRS is hereby amended by adding thereto a
2 new section to read as follows:
3 ***1. If a county recorder imposes an additional fee pursuant to***
4 ***subsection 2 of NRS 247.305, the proceeds collected from such a fee***
5 ***must be accounted for separately in the county general fund. Any interest***
6 ***earned on money in the account, after deducting any applicable charges,***
7 ***must be credited to the account. Money that remains in the account at***
8 ***the end of a fiscal year does not revert to the county general fund, and***
9 ***the balance in the account must be carried forward to the next fiscal***
10 ***year.***
11 ***2. The money in the account must be used only to acquire technology***
12 ***for or improve the technology used in the office of the county recorder,***
13 ***including, without limitation, costs related to acquiring or improving***
14 ***technology for converting and archiving records, purchasing hardware***
15 ***and software, maintaining the technology, training employees in the***
16 ***operation of the technology and contracting for professional services***
17 ***relating to the technology.***



- 1 3. *The county recorder shall submit an annual report to the board of*
2 *county commissioners of the county which contains:*
3 (a) *An estimate of the proceeds that the county recorder will collect*
4 *from the additional fee imposed pursuant to subsection 2 of NRS 247.305*
5 *in the following fiscal year; and*
6 (b) *A proposal for expenditures of the proceeds from the additional*
7 *fee imposed pursuant to subsection 2 of NRS 247.305 for the costs*
8 *related to the technology required for the office of the county recorder*
9 *for the following fiscal year.*
- 10 **Sec. 1.5** NRS 247.305 is hereby amended to read as follows:
11 247.305 1. If another statute specifies the fee to be charged for a
12 service, county recorders shall charge and collect only the fee specified.
13 Otherwise county recorders shall charge and collect the following fees:
14 For recording any document, for the first page~~\$7~~ **\$10**
15 For each additional page 1
16 For recording each portion of a document which must be
17 separately indexed, after the first indexing..... 3
18 For copying any record, for each page 1
19 For certifying, including certificate and seal 4
20 For a certified copy of a certificate of marriage~~7~~ **10**
21 For a certified abstract of a certificate of marriage~~7~~ **10**
- 22 2. *Except as otherwise provided in this subsection, a county recorder*
23 *may charge and collect, in addition to any fee that a county recorder is*
24 *otherwise authorized to charge and collect, an additional fee not to*
25 *exceed \$3 for recording a document, instrument, paper, notice, deed,*
26 *conveyance, map, chart, survey or any other writing. A county recorder*
27 *may not charge the additional fee authorized in this subsection for*
28 *recording the originally signed copy of a certificate of marriage described*
29 *in NRS 122.120. On or before the fifth day of each month, the county*
30 *recorder shall pay to the county treasurer the amount of fees collected by*
31 *him pursuant to this subsection for credit to the account established*
32 *pursuant to section 1 of this act.*
- 33 3. *Except as otherwise provided in this subsection, a county recorder*
34 *shall charge and collect, in addition to any fee that a county recorder is*
35 *otherwise authorized to charge and collect, an additional fee of \$1 for*
36 *recording a document, instrument, paper, notice, deed, conveyance, map,*
37 *chart, survey or any other writing. A county recorder shall not charge the*
38 *additional fee authorized in this subsection for recording the originally*
39 *signed copy of a certificate of marriage described in NRS 122.120. On or*
40 *before the fifth day of each month, the county recorder shall pay to the*
41 *county treasurer the amount of fees collected by him pursuant to this*
42 *subsection. On or before the 15th day of each month, the county*
43 *treasurer shall remit the money received by him pursuant to this*
44 *subsection to the state treasurer for credit to the account to assist persons*
45 *formerly in foster care created pursuant to section 14.5 of this act.*
- 46 4. Except as otherwise provided in subsection ~~3.5~~ **5**, a county recorder
47 shall not charge or collect any fees for any of the services specified in this
48 section when rendered by him to:
49 (a) The county in which his office is located.



1 (b) The State of Nevada or any city or town within the county in which
2 his office is located, if the document being recorded:
3 (1) Conveys to the state, or to that city or town, an interest in land;
4 (2) Is a mortgage or deed of trust upon lands within the county which
5 names the state or that city or town as beneficiary;
6 (3) Imposes a lien in favor of the state or that city or town; or
7 (4) Is a notice of the pendency of an action in eminent domain filed
8 by the state pursuant to NRS 37.060.
9 ~~§ 5.~~ A county recorder shall charge and collect the fees specified in
10 this section for copying of any document at the request of the State of
11 Nevada, and any city or town within the county. For copying, and for his
12 certificate and seal upon the copy, the county recorder shall charge the
13 regular fee.
14 ~~§ 6.~~ For purposes of this section, "State of Nevada," "county," "city"
15 and "town" include any department or agency thereof and any officer
16 thereof in his official capacity.
17 ~~§ 7.~~ Except as otherwise provided *in subsection 2 or 3 or* by an
18 ordinance adopted pursuant to the provisions of NRS 244.207, county
19 recorders shall, on or before the fifth working day of each month, account
20 for and pay to the county treasurer all such fees collected during the
21 preceding month.
22 **Sec. 2.** NRS 247.310 is hereby amended to read as follows:
23 247.310 1. Except as otherwise provided by law, county recorders
24 shall charge the following fees for recording affidavits of proof of labor on
25 mining claims and for recording, pursuant to subsection 3 of NRS 517.230,
26 affidavits of intent to hold mining claims:
27 For recording any such affidavits that embrace therein one
28 claim ~~§ 1~~ **\$2**
29 For each additional mining claim embraced in the affidavit ~~§ 1~~ **2**
30 2. Except as otherwise provided by an ordinance adopted pursuant to
31 the provisions of NRS 244.207, county recorders shall, on or before the 5th
32 working day of each month, account for and pay to the county treasurer all
33 such fees collected during the preceding month.
34 **Sec. 3.** NRS 248.275 is hereby amended to read as follows:
35 248.275 1. The sheriff of each county in this state may charge and
36 collect the following fees:
37 For serving a summons or complaint, or any other process, by
38 which an action or proceeding is commenced, except as a writ
39 of habeas corpus, on every defendant ~~§ 15~~ **\$17**
40 For traveling and making such service, per mile in going only,
41 to be computed in all cases the distance actually traveled, for
42 each mile ~~§ 1~~ **2**
43 If any two or more papers are required to be served in the
44 same suit at the same time, where parties live in the same
45 direction, one mileage only may be charged.
46 For taking a bond or undertaking in any case in which he is
47 authorized to take a bond or undertaking ~~§ 1~~ **5**
48 For a copy of any writ, process or other paper, when demanded
49 or required by law, for each page ~~§ 2~~ **3**



1	For serving every rule or order.....	15
2	For serving one notice required by law before the	
3	commencement of a proceeding for any type of eviction.....	15 26
4	For serving not fewer than 2 nor more than 10 such notices to	
5	the same location, each notice.....	15 20
6	For serving not fewer than 11 nor more than 24 such notices to	
7	the same location, each notice.....	15 17
8	For serving 25 or more such notices to the same location, each	
9	notice.....	15 15
10	For mileage in serving such a notice, for each mile necessarily	
11	and actually traveled in going only	15 2
12	But if two or more notices are served at the same general	
13	location during the same period, mileage may only be	
14	charged for the service of one notice.	
15	For serving a subpoena, for each witness summoned.....	15
16	For traveling, per mile in serving subpoenas, or a venire, in	
17	going only, for each mile.....	15 2
18	When two or more witnesses or jurors live in the same	
19	direction, traveling fees must be charged only for the most	
20	distant.	
21	For serving an attachment on property, or levying an execution,	
22	or executing an order of arrest or order for the delivery of	
23	personal property, together with traveling fees, as in cases of	
24	summons	15
25	For making and posting notices and advertising for sale, on	
26	execution or any judgment or order of sale, not to include the	
27	cost of publication in a newspaper	15
28	For issuing each certificate of sale of property on execution or	
29	order of sale, and for filing a duplicate thereof with the	
30	county recorder, which must be collected from the party	
31	receiving the certificate	15 5
32	For drawing and executing every sheriff's deed, to be paid by	
33	the grantee, who shall in addition pay for the	
34	acknowledgment thereof	15 20
35	For serving a writ of possession or restitution, putting any	
36	person into possession entitled thereto.....	15 21
37	For traveling in the service of any process, not otherwise	
38	provided in this section, for each mile necessarily traveled,	
39	for going only, for each mile	15 2
40	For mailing a notice of a writ of execution	15 2
41	The sheriff may charge and collect 15 \$2 per mile traveled, for going	
42	only, on all papers not served, where reasonable effort has been made to	
43	effect service, but not to exceed \$20.	
44	2. The sheriff may also charge and collect:	
45	(a) For commissions for receiving and paying over money on execution	
46	or process, where lands or personal property have been levied on,	
47	advertised or sold, on the first \$500, 4 percent; on any sum in excess of	
48	\$500, and not exceeding \$1,000, 2 percent; on all sums above that amount,	
49	1 percent.	



1 (b) For commissions for receiving and paying over money on
2 executions without levy, or where the lands or goods levied on are not sold,
3 on the first \$3,500, 2 percent, and on all amounts over that sum, one-half of
4 1 percent.

5 (c) For service of any process in a criminal case, or of a writ of habeas
6 corpus, the same mileage as in civil cases, to be allowed, audited and paid
7 as are other claims against the county.

8 (d) For all services in justices' courts, the same fees as are allowed in
9 subsection 1 and paragraphs (a), (b) and (c) of this subsection.

10 3. The sheriff is also entitled to further compensation for his trouble
11 and expense in taking possession of property under attachment, execution
12 or other process and of preserving the property, as the court from which the
13 writ or order may issue certifies to be just and reasonable.

14 4. In service of a subpoena or a venire in criminal cases, the sheriff is
15 entitled to receive mileage for the most distant only, where witnesses and
16 jurors live in the same direction.

17 5. The fees allowed for the levy of an execution, for advertising and
18 for making and collecting money on an execution or order of sale, must be
19 collected from the defendants, by virtue of the execution or order of sale, in
20 the same manner as the execution is directed to be made.

21 6. Except as otherwise provided by an ordinance adopted pursuant to
22 the provisions of NRS 244.207, all fees collected by a sheriff must be paid
23 into the county treasury of his county on or before the fifth working day of
24 the month next succeeding the month in which the fees are collected.

25 **Sec. 4.** NRS 258.125 is hereby amended to read as follows:

26 258.125 1. Constables are entitled to the following fees for their
27 services:

28 For serving a summons or other process by which a suit is
29 commenced in civil cases.....~~15~~ 17
30 For summoning a jury before a justice of the peace.....~~15~~ 7
31 For taking a bond or undertaking.....~~15~~ 5
32 For serving an attachment against the property of a defendant.....~~15~~ 9
33 For serving subpoenas, for each witness.....~~15~~ 15
34 For a copy of any writ, process or order or other paper, when
35 demanded or required by law, per folio.....~~15~~ 3
36 For drawing and executing every constable's deed, to be paid by
37 the grantee, who must also pay for the acknowledgment
38 thereof.....~~15~~ 20
39 For each certificate of sale of real property under execution.....~~15~~ 5
40 For levying any writ of execution or writ of garnishment, or
41 executing an order of arrest in civil cases, or order for
42 delivery of personal property, with traveling fees as for
43 summons.....~~15~~ 9
44 For serving one notice required by law before the
45 commencement of a proceeding for any type of eviction.....~~15~~ 26
46 For serving not fewer than 2 nor more than 10 such notices to
47 the same location, each notice.....~~15~~ 20
48 For serving not fewer than 11 nor more than 24 such notices to
49 the same location, each notice.....~~15~~ 17



* A B 9 4 R 2 *

- 1 For serving 25 or more such notices to the same location, each
2 notice ~~19~~ 15
3 For mileage in serving such a notice, for each mile necessarily
4 and actually traveled in going only ~~11~~ 2
5 But if two or more notices are served at the same general
6 location during the same period, mileage may only be
7 charged for the service of one notice.
8 For each service in a summary eviction, except service of any
9 notice required by law before commencement of the
10 proceeding, and for serving notice of and executing a writ of
11 restitution..... ~~15~~ 21
12 For making and posting notices, and advertising property for
13 sale on execution, not to include the cost of publication in a
14 newspaper..... ~~15~~ 9
15 For each warrant lawfully executed ~~13~~ 48
16 For mileage in serving summons, attachment, execution, order,
17 venire, subpoena, notice, summary eviction, writ of
18 restitution or other process in civil suits, for each mile
19 necessarily and actually traveled, in going only..... ~~11~~ 2
20 But when two or more persons are served in the same suit,
21 mileage may only be charged for the most distant, if they
22 live in the same direction.
23 For mileage in making a diligent but unsuccessful effort to
24 serve a summons, attachment, execution, order, venire,
25 subpoena or other process in civil suits, for each mile
26 necessarily and actually traveled, in going only..... ~~11~~ 2
27 But mileage may not exceed \$20 for any unsuccessful effort
28 to serve such process.
29 2. A constable is also entitled to receive:
30 (a) For receiving and taking care of property on execution, attachment
31 or order, his actual necessary expenses, to be allowed by the court which
32 issued the writ or order, upon the affidavit of the constable that the charges
33 are correct and the expenses necessarily incurred.
34 (b) For collecting all sums on execution or writ, to be charged against
35 the defendant, on the first \$3,500, 2 percent thereof, and on all amounts
36 over that sum, one-half of 1 percent.
37 (c) For service in criminal cases, except for execution of warrants, the
38 same fees as are allowed sheriffs for like services, to be allowed, audited
39 and paid as are other claims against the county.
40 3. Deputy sheriffs acting as constables are not entitled to retain for
41 their own use any fees collected by them, but the fees must be paid into the
42 county treasury on or before the 5th working day of the month next
43 succeeding the month in which the fees were collected.
44 4. Constables shall, on or before the 5th working day of each month,
45 account for and pay to the county treasurer all fees collected during the
46 preceding month, except fees which may be retained as compensation.
47 **Sec. 5.** NRS 259.200 is hereby amended to read as follows:
48 259.200 1. A justice of the peace is entitled, for each day necessarily
49 employed in holding an inquest, to a fee of ~~19~~ \$23.



- 1 2. This fee must be paid out of the county treasury as other demands
2 against the county are paid.
- 3 **Sec. 6.** (Deleted by amendment.)
- 4 **Sec. 6.5.** NRS 4.060 is hereby amended to read as follows:
- 5 4.060 1. Except as otherwise provided in this section, each justice of
6 the peace shall charge and collect the following fees:
- 7 (a) On the commencement of any action or proceeding in the justice's
8 court, other than in actions commenced pursuant to chapter 73 of NRS, to
9 be paid by the party commencing the action:
- 10 If the sum claimed does not exceed \$1,000..... \$28.00
11 If the sum claimed exceeds \$1,000 but does not exceed
12 \$2,500..... 50.00
13 If the sum claimed exceeds \$2,500 but does not exceed
14 \$4,500..... 100.00
15 If the sum claimed exceeds \$4,500 but does not exceed
16 \$6,500..... 125.00
17 If the sum claimed exceeds \$6,500 but does not exceed
18 \$7,500..... 150.00
19 In all other civil actions 28.00
- 20 (b) For the preparation and filing of an affidavit and order in an action
21 commenced pursuant to chapter 73 of NRS:
- 22 If the sum claimed does not exceed \$1,000..... 25.00
23 If the sum claimed exceeds \$1,000 but does not exceed
24 \$2,500..... 45.00
25 If the sum claimed exceeds \$2,500 but does not exceed
26 \$5,000..... 65.00
- 27 (c) On the appearance of any defendant, or any number of defendants
28 answering jointly, to be paid him or them on filing the first paper in the
29 action, or at the time of appearance:
- 30 In all civil actions 12.00
31 For every additional defendant, appearing separately 6.00
- 32 (d) No fee may be charged where a defendant or defendants appear in
33 response to an affidavit and order issued pursuant to the provisions of
34 chapter 73 of NRS.
- 35 (e) For the filing of any paper in intervention 6.00
- 36 (f) For the issuance of any writ of attachment, writ of garnishment, writ
37 of execution or any other writ designed to enforce any judgment of the
38 court 6.00
- 39 (g) For filing a notice of appeal, and appeal bonds 12.00
40 One charge only may be made if both papers are filed at the same time.
- 41 (h) For issuing supersedeas to a writ designed to enforce a
42 judgment or order of the court..... 12.00
- 43 (i) For preparation and transmittal of transcript and papers on
44 appeal 12.00
- 45 (j) For celebrating a marriage and returning the certificate to
46 the county recorder..... ~~135.00~~ **\$50.00**
- 47 (k) For entering judgment by confession..... 6.00
- 48 (l) For preparing any copy of any record, proceeding or paper,
49 for each page30



- 1 (m) For each certificate of the clerk, under the seal of the court..... 3.00
2 (n) For searching records or files in his office, for each year 1.00
3 (o) For filing and acting upon each bail or property bond 40.00
4 2. A justice of the peace shall not charge or collect any of the fees set
5 forth in subsection 1 for any service rendered by him to the county in
6 which his township is located.
7 3. A justice of the peace shall not charge or collect the fee pursuant to
8 paragraph (j) of subsection 1 if he performs a marriage ceremony in a
9 commissioner township.
10 4. Except as otherwise provided by an ordinance adopted pursuant to
11 the provisions of NRS 244.207, the justice of the peace shall, on or before
12 the fifth day of each month, account for and pay to the county treasurer all
13 fees collected during the preceding month, except for the fees he may
14 retain as compensation and the fees he is required to pay to the state
15 treasurer pursuant to subsection 5.
16 5. The justice of the peace shall, on or before the fifth day of each
17 month, pay to the state treasurer ~~half~~ :
18 *(a) An amount equal to \$5 of each fee collected pursuant to*
19 *paragraph (j) of subsection 1 during the preceding month. The state*
20 *treasurer shall deposit the money in the account for aid for victims of*
21 *domestic violence in the state general fund.*
22 *(b) Half* of the fees collected pursuant to paragraph (o) of subsection 1
23 during the preceding month. The state treasurer shall deposit the money in
24 the fund for the compensation of victims of crime.
25 **Sec. 7.** NRS 17.110 is hereby amended to read as follows:
26 17.110 The statement must be filed with the clerk of the court in which
27 the judgment is to be entered. The clerk shall endorse upon it and enter in
28 the judgment book a judgment of the court for the amount confessed, with
29 ~~the~~ **\$24** ~~\$28~~ costs. The judgment and affidavit, with the judgment endorsed,
30 thereupon become the judgment roll.
31 **Sec. 8.** NRS 19.013 is hereby amended to read as follows:
32 19.013 1. Except as otherwise provided by specific statute, each
33 county clerk shall charge and collect the following fees:
34 On the commencement of any action or proceeding in the
35 district court, or on the transfer of any action or proceeding
36 from a district court of another county, except probate or
37 guardianship proceedings, to be paid by the party
38 commencing the action, proceeding or transfer..... \$56
39 On an appeal to the district court of any case from a justice's
40 court or a municipal court, or on the transfer of any case from
41 a justice's court or a municipal court 42
42 On the filing of a petition for letters testamentary, letters of
43 administration, setting aside an estate without administration,
44 or a guardianship, which fee includes the court fee prescribed
45 by NRS 19.020, to be paid by the petitioner:
46 Where the stated value of the estate is more than \$2,500..... 72
47 Where the stated value of the estate is \$2,500 or less, no
48 fee may be charged or collected.



1	On the filing of a petition to contest any will or codicil, to be	
2	paid by the petitioner.....	44
3	On the filing of an objection or cross-petition to the appointment	
4	of an executor, administrator or guardian, or an objection to	
5	the settlement of account or any answer in an estate or	
6	guardianship matter.....	44
7	On the appearance of any defendant or any number of	
8	defendants answering jointly, to be paid upon the filing of the	
9	first paper in the action by him or them	44
10	For filing a notice of appeal	24
11	For issuing a transcript of judgment and certifying thereto.....	3
12	For preparing any copy of any record, proceeding or paper, for	
13	each page.....	1
14	For each certificate of the clerk, under the seal of the court.....	3
15	For examining and certifying to a copy of any paper, record or	
16	proceeding prepared by another and presented for his	
17	certificate.....	5
18	For filing all papers not otherwise provided for, other than	
19	papers filed in actions and proceedings in court and papers	
20	filed by public officers in their official capacity	15
21	For issuing any certificate under seal, not otherwise provided for.....	6
22	For searching records or files in his office, for each year	1
23	For filing and recording a bond of a notary public, per name	15
24	For entering the name of a firm or corporation in the register of	
25	the county clerk	15 20
26	2. Except as otherwise provided by specific statute, all fees prescribed	
27	in this section are payable in advance if demanded by the county clerk.	
28	3. The fees set forth in subsection 1 are payment in full for all services	
29	rendered by the county clerk in the case for which the fees are paid,	
30	including the preparation of the judgment roll, but the fees do not include	
31	payment for typing, copying, certifying or exemplifying or authenticating	
32	copies.	
33	4. No fee may be charged any attorney at law admitted to practice in	
34	this state for searching records or files in the office of the clerk. No fee	
35	may be charged for any services rendered to a defendant or his attorney in	
36	any criminal case or in habeas corpus proceedings.	
37	5. Each county clerk shall, on or before the fifth day of each month,	
38	account for and pay to the county treasurer all fees collected during the	
39	preceding month.	
40	Sec. 9. NRS 122.060 is hereby amended to read as follows:	
41	122.060 1. The clerk is entitled to receive as his fee for issuing the	
42	license the sum of \$13 \$21 .	
43	2. The clerk shall also at the time of issuing the license collect the sum	
44	of \$3 \$10 and pay it over to the county recorder as his fee for recording	
45	the originally signed copy of the certificate of marriage described in NRS	
46	122.120.	
47	3. The clerk shall also at the time of issuing the license collect the	
48	additional sum of \$4 for the State of Nevada. The fees collected for the	
49	state must be paid over to the county treasurer by the county clerk on or	



1 before the 5th day of each month for the preceding calendar month, and
2 must be placed to the credit of the state general fund. The county treasurer
3 shall remit quarterly all such fees deposited by the clerk to the state
4 treasurer for credit to the state general fund.

5 4. The clerk shall also at the time of issuing the license collect the
6 additional sum of \$15 for the account for aid for victims of domestic
7 violence in the state general fund. The fees collected for this purpose must
8 be paid over to the county treasurer by the county clerk on or before the 5th
9 day of each month for the preceding calendar month, and must be placed to
10 the credit of that account. The county treasurer shall, on or before the 15th
11 day of each month, remit those fees deposited by the clerk to the state
12 treasurer for credit to that account.

13 **Sec. 9.3.** NRS 122.060 is hereby amended to read as follows:

14 122.060 1. The clerk is entitled to receive as his fee for issuing the
15 license the sum of \$21.

16 2. The clerk shall also at the time of issuing the license collect the sum
17 of \$10 and pay it over to the county recorder as his fee for recording the
18 originally signed copy of the certificate of marriage described in NRS
19 122.120.

20 3. The clerk shall also at the time of issuing the license collect the
21 additional sum of \$4 for the State of Nevada. The fees collected for the
22 state must be paid over to the county treasurer by the county clerk on or
23 before the 5th day of each month for the preceding calendar month, and
24 must be placed to the credit of the state general fund. The county treasurer
25 shall remit quarterly all such fees deposited by the clerk to the state
26 treasurer for credit to the state general fund.

27 4. The clerk shall also at the time of issuing the license collect the
28 additional sum of ~~\$15~~ **\$20** for the account for aid for victims of domestic
29 violence in the state general fund. The fees collected for this purpose must
30 be paid over to the county treasurer by the county clerk on or before the 5th
31 day of each month for the preceding calendar month, and must be placed to
32 the credit of that account. The county treasurer shall, on or before the 15th
33 day of each month, remit those fees deposited by the clerk to the state
34 treasurer for credit to that account.

35 **Sec. 9.7.** NRS 122.181 is hereby amended to read as follows:

36 122.181 1. The commissioner of civil marriages or his deputy
37 commissioner of civil marriages is entitled to receive as his fee for
38 solemnizing a marriage ~~35. All fees received for solemnizing marriages~~
39 ~~by the commissioner or his deputy~~ **\$45. The fee** must be deposited in the
40 county general fund.

41 **2. The commissioner of civil marriages or his deputy commissioner**
42 **of civil marriages shall also at the time of solemnizing a marriage collect**
43 **the additional sum of \$5 for the account for aid for victims of domestic**
44 **violence in the state general fund. The fees collected for this purpose**
45 **must be paid over to the county treasurer by the county clerk on or before**
46 **the fifth day of each month for the preceding calendar month, and must**
47 **be credited to that account. The county treasurer shall, on or before the**
48 **15th day of each month, remit those fees deposited by the clerk to the**
49 **state treasurer for credit to that account.**



1 **Sec. 10.** NRS 278.450 is hereby amended to read as follows:
2 278.450 ~~{The}~~ *For the recordation of any final map, the* county
3 recorder shall collect a fee of ~~{ \$35, plus 35 cents per lot or unit mapped, for~~
4 ~~the recordation of any final map. }~~ *\$50 for the first sheet of the map and*
5 *\$10 for each additional sheet.* The fee must be deposited in the general
6 fund of the county where it is collected.

7 **Sec. 11.** NRS 278.468 is hereby amended to read as follows:
8 278.468 1. If a parcel map is approved or deemed approved pursuant
9 to NRS 278.464, the preparer of the map shall:

10 (a) Cause the approved map to be recorded in the office of the county
11 recorder within 1 year after the date the map was approved or deemed
12 approved, unless the governing body establishes by ordinance a longer
13 period, not to exceed 2 years, for recording the map. The map must be
14 accompanied by a written statement signed by the treasurer of the county in
15 which the land to be divided is located indicating that all property taxes on
16 the land for the fiscal year have been paid.

17 (b) Pay a ~~{ \$17 }~~ fee *of \$17 for the first sheet of the map plus \$10 for*
18 *each additional sheet* to the county recorder for filing and indexing.

19 2. Upon receipt of a parcel map, the county recorder shall file the map
20 in a suitable place. He shall keep proper indexes of parcel maps by the
21 name of grant, tract, subdivision or United States subdivision.

22 3. A county recorder who records a parcel map pursuant to this section
23 shall, within 7 working days after he records the parcel map, provide to the
24 county assessor at no charge:

25 (a) A duplicate copy of the parcel map and any supporting documents;
26 or

27 (b) Access to the digital parcel map and any digital supporting
28 documents.

29 **Sec. 12.** NRS 278.4725 is hereby amended to read as follows:

30 278.4725 1. Except as otherwise provided in this section, if the
31 governing body has authorized the planning commission to take final
32 action on a final map, the planning commission shall approve,
33 conditionally approve or disapprove the final map, basing its action upon
34 the requirements of NRS 278.472:

35 (a) In a county whose population is 40,000 or more, within 45 days; or

36 (b) In a county whose population is less than 40,000, within 60
37 days,

38 after accepting the final map as a complete application. The planning
39 commission shall file its written decision with the governing body. Except
40 as otherwise provided in subsection 5, or unless the time is extended by
41 mutual agreement, if the planning commission is authorized to take final
42 action and it fails to take action within the period specified in this
43 subsection, the final map shall be deemed approved unconditionally.

44 2. If there is no planning commission or if the governing body has not
45 authorized the planning commission to take final action, the governing
46 body or its authorized representative shall approve, conditionally approve
47 or disapprove the final map, basing its action upon the requirements of
48 NRS 278.472:

49 (a) In a county whose population is 40,000 or more, within 45 days; or



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1 (b) In a county whose population is less than 40,000, within 60
2 days,
3 after the final map is accepted as a complete application. Except as
4 otherwise provided in subsection 5 or unless the time is extended by
5 mutual agreement, if the governing body or its authorized representative
6 fails to take action within the period specified in this subsection, the final
7 map shall be deemed approved unconditionally.

8 3. An applicant or other person aggrieved by a decision of the
9 authorized representative of the governing body or by a final act of the
10 planning commission may appeal to the governing body within a
11 reasonable period to be determined, by ordinance, by the governing body.
12 The governing body shall render its decision:

13 (a) In a county whose population is 40,000 or more, within 45 days; or

14 (b) In a county whose population is less than 40,000, within 60
15 days,
16 after the date on which the appeal is filed.

17 4. If the map is disapproved, the governing body or its authorized
18 representative or the planning commission shall return the map to the
19 person who proposes to divide the land, with the reason for its action and a
20 statement of the changes necessary to render the map acceptable.

21 5. If the final map divides the land into 16 lots or more, the governing
22 body or its authorized representative or the planning commission shall not
23 approve a map, and a map shall not be deemed approved, unless:

24 (a) Each lot contains an access road that is suitable for use by
25 emergency vehicles; and

26 (b) The corners of each lot are set by a professional land surveyor.

27 6. If the final map divides the land into 15 lots or less, the governing
28 body or its authorized representative or the planning commission may, if
29 reasonably necessary, require the map to comply with the provisions of
30 subsection 5.

31 7. Upon approval, the map must be filed with the county recorder.
32 Filing with the county recorder operates as a continuing:

33 (a) Offer to dedicate for public roads the areas shown as proposed roads
34 or easements of access, which the governing body may accept in whole or
35 in part at any time or from time to time.

36 (b) Offer to grant the easements shown for public utilities, which any
37 public utility may similarly accept without excluding any other public
38 utility whose presence is physically compatible.

39 8. The map filed with the county recorder must include:

40 (a) A certificate signed and acknowledged by each owner of land to be
41 divided consenting to the preparation of the map, the dedication of the
42 roads and the granting of the easements.

43 (b) A certificate signed by the clerk of the governing body or authorized
44 representative of the governing body or the secretary to the planning
45 commission that the map was approved, or the affidavit of the person
46 presenting the map for filing that the time limited by subsection 1 or 2 for
47 action by the governing body or its authorized representative or the
48 planning commission has expired and that the requirements of subsection 5
49 have been met. A certificate signed pursuant to this paragraph must also



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1 indicate, if applicable, that the governing body or planning commission
2 determined that a public street, easement or utility easement which will not
3 remain in effect after a merger and resubdivision of parcels conducted
4 pursuant to NRS 278.4925, has been vacated or abandoned in accordance
5 with NRS 278.480.

6 (c) A written statement signed by the treasurer of the county in which
7 the land to be divided is located indicating that all property taxes on the
8 land for the fiscal year have been paid.

9 9. A governing body may by local ordinance require a final map to
10 include:

11 (a) A report from a title company which lists the names of:

12 (1) Each owner of record of the land to be divided; and

13 (2) Each holder of record of a security interest in the land to be
14 divided, if the security interest was created by a mortgage or a deed of
15 trust.

16 (b) The signature of each owner of record of the land to be divided.

17 (c) The written consent of each holder of record of a security interest
18 listed pursuant to subparagraph (2) of paragraph (a), to the preparation and
19 recordation of the final map. A holder of record may consent by signing:

20 (1) The final map; or

21 (2) A separate document that is filed with the final map and declares
22 his consent to the division of land.

23 10. After a map has been filed with the county recorder, any lot shown
24 thereon may be conveyed by reference to the map, without further
25 description.

26 11. The county recorder shall charge and collect for recording the map
27 a fee *set by the board of county commissioners* of not more than ~~\$35 per~~
28 ~~page set by the board of county commissioners.~~ *\$50 for the first sheet of*
29 *the map plus \$10 for each additional sheet.*

30 12. A county recorder who records a final map pursuant to this section
31 shall, within 7 working days after he records the final map, provide to the
32 county assessor at no charge:

33 (a) A duplicate copy of the final map and any supporting documents; or

34 (b) Access to the digital final map and any digital supporting
35 documents.

36 **Sec. 13.** NRS 278A.570 is hereby amended to read as follows:

37 278A.570 1. A plan which has been given final approval by the city
38 or county, must be certified without delay by the city or county and filed of
39 record in the office of the appropriate county recorder before any
40 development occurs in accordance with that plan. A county recorder shall
41 not file for record any final plan unless it includes:

42 (a) A final map of the entire final plan or an identifiable phase of the
43 final plan if required by the provisions of NRS 278.010 to 278.630,
44 inclusive;

45 (b) The certifications required pursuant to NRS 116.2109; and

46 (c) The same certificates of approval as are required under NRS
47 278.377 or evidence that:

48 (1) The approvals were requested more than 30 days before the date
49 on which the request for filing is made; and



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1 (2) The agency has not refused its approval.

2 2. Except as otherwise provided in this subsection, after the plan is
3 recorded, the zoning and subdivision regulations otherwise applicable to
4 the land included in the plan cease to apply. If the development is
5 completed in identifiable phases, then each phase can be recorded. The
6 zoning and subdivision regulations cease to apply after the recordation of
7 each phase to the extent necessary to allow development of that phase.

8 3. Pending completion of the planned unit development, or of the part
9 that has been finally approved, no modification of the provisions of the
10 plan, or any part finally approved, may be made, nor may it be impaired by
11 any act of the city or county except with the consent of the landowner.

12 4. ~~He~~ *For the recording or filing of any final map, plat or plan,*
13 *the* county recorder shall collect a fee of \$50 ~~plus 50 cents per lot or unit~~
14 ~~mapped,~~ for the ~~recording or filing of any final map, plat or plan.~~ *first*
15 *sheet of the map, plat or plan plus \$10 for each additional sheet.* The fee
16 must be deposited in the general fund of the county where it is collected.

17 **Sec. 14.** NRS 403.190 is hereby amended to read as follows:

18 403.190 1. Except as otherwise provided in subsection 3, upon
19 laying out and designating the county roads as required in NRS 403.170,
20 the board of county highway commissioners shall cause a map of the
21 county to be made, showing the county roads and their designations. The
22 board shall file one copy of the map with the clerk of the board of county
23 highway commissioners, one copy with the department of transportation,
24 one copy with the county clerk and one copy with the county recorder.

25 2. When any road has been designated by the board of county highway
26 commissioners as a standard county road, as provided in NRS 403.180, that
27 designation must be made on the copies of the map on file with the clerk of
28 the board of county highway commissioners, the county clerk, the
29 department of transportation and the county recorder.

30 3. The board of county highway commissioners need not include a
31 minor county road upon the map required by subsection 1. Any person who
32 uses a minor county road may file with the county recorder a map showing
33 the location of the road, appropriately emphasized in black ink upon the
34 map by the person filing it. The map must:

35 (a) Be a topographical map prepared by the United States Geological
36 Survey, unless the board of county highway commissioners determines that
37 other specific maps are acceptable.

38 (b) Have written on its face, in black ink, the townships, ranges and
39 sections through which the road traverses.

40 The map so filed is evidence of the existence and location of the road. Each
41 person filing such a map shall pay to the county recorder a fee of *\$17 for*
42 *the first sheet of the map plus \$10* ~~plus \$10~~ *for each additional sheet.*

43 **Sec. 14.5.** Chapter 423 of NRS is hereby amended by adding thereto a
44 new section to read as follows:

45 1. *The account to assist persons formerly in foster care is hereby*
46 *created in the state general fund.*

47 2. *The account must be administered by the administrator.*

48 3. *The money in the account must be used to assist persons who*
49 *attained the age of 18 years while children in foster care in this state to*



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- 1 *make the transition from foster care to economic self-sufficiency, and*
2 *may, consistent with that purpose, be:*
3 *(a) Disbursed on behalf of such persons, on the basis of need, to*
4 *obtain goods and services, including, without limitation:*
5 *(1) Job training;*
6 *(2) Housing assistance; and*
7 *(3) Medical insurance;*
8 *(b) Granted to nonprofit community organizations; or*
9 *(c) Expended to provide matching money required as a condition of*
10 *any federal grant.*
11 *4. A request for the disbursement of money from the account*
12 *pursuant to paragraph (a) of subsection 3 must be made to the division in*
13 *writing. The request must include information to demonstrate that all*
14 *other resources for money to pay for the goods and services have been*
15 *exhausted.*
16 *5. The division shall adopt such regulations as necessary for the*
17 *administration of this section.*
18 *6. Money in the account at the end of any fiscal year remains in the*
19 *account and does not revert to the state general fund.*
20 **Sec. 15.** NRS 625.370 is hereby amended to read as follows:
21 625.370 1. The charge for filing and indexing any record of survey is
22 \$17 ~~H~~ *for the first page plus \$10 for each additional page.*
23 2. The record of survey must be suitably filed by the county recorder
24 and he shall keep proper indexes of such survey records by name of tract,
25 subdivision or United States land subdivision.
26 3. A county recorder who records a record of survey pursuant to this
27 section shall, within 7 working days after he records the record of survey,
28 provide to the county assessor at no charge:
29 (a) A duplicate copy of the record of survey and any supporting
30 documents; or
31 (b) Access to the digital record of survey and any digital supporting
32 documents.
33 **Sec. 16.** 1. This section and sections 9 and 9.7 of this act become
34 effective on July 1, 2001.
35 2. Sections 1 to 8, inclusive, and 10 to 15, inclusive, of this act become
36 effective on October 1, 2001.
37 3. Section 9 of this act expires by limitation on December 31, 2002.
38 4. Section 9.3 of this act becomes effective on January 1, 2003.

