

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 department of human resources' gift 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*



* A B 9 4 R 3 *

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



1 4. Except as otherwise provided in subsection ~~13.1~~ 5, a county recorder
2 shall not charge or collect any fees for any of the services specified in this
3 section when rendered by him to:
4 (a) The county in which his office is located.
5 (b) The State of Nevada or any city or town within the county in which
6 his office is located, if the document being recorded:
7 (1) Conveys to the state, or to that city or town, an interest in land;
8 (2) Is a mortgage or deed of trust upon lands within the county which
9 names the state or that city or town as beneficiary;
10 (3) Imposes a lien in favor of the state or that city or town; or
11 (4) Is a notice of the pendency of an action in eminent domain filed
12 by the state pursuant to NRS 37.060.
13 ~~13.1~~ 5. A county recorder shall charge and collect the fees specified in
14 this section for copying of any document at the request of the State of
15 Nevada, and any city or town within the county. For copying, and for his
16 certificate and seal upon the copy, the county recorder shall charge the
17 regular fee.
18 ~~14.1~~ 6. For purposes of this section, "State of Nevada," "county," "city"
19 and "town" include any department or agency thereof and any officer
20 thereof in his official capacity.
21 ~~15.1~~ 7. Except as otherwise provided in subsection 2 or 3 or by an
22 ordinance adopted pursuant to the provisions of NRS 244.207, county
23 recorders shall, on or before the fifth working day of each month, account
24 for and pay to the county treasurer all such fees collected during the
25 preceding month.
26 **Sec. 2.** NRS 247.310 is hereby amended to read as follows:
27 247.310 1. Except as otherwise provided by law, county recorders
28 shall charge the following fees for recording affidavits of proof of labor on
29 mining claims and for recording, pursuant to subsection 3 of NRS 517.230,
30 affidavits of intent to hold mining claims:
31 For recording any such affidavits that embrace therein one
32 claim.....~~15.1~~ \$2
33 For each additional mining claim embraced in the affidavit ~~11~~ 2
34 2. Except as otherwise provided by an ordinance adopted pursuant to
35 the provisions of NRS 244.207, county recorders shall, on or before the 5th
36 working day of each month, account for and pay to the county treasurer all
37 such fees collected during the preceding month.
38 **Sec. 3.** NRS 248.275 is hereby amended to read as follows:
39 248.275 1. The sheriff of each county in this state may charge and
40 collect the following fees:
41 For serving a summons or complaint, or any other process, by
42 which an action or proceeding is commenced, except as a writ
43 of habeas corpus, on every defendant.....~~15.15~~ \$17
44 For traveling and making such service, per mile in going only,
45 to be computed in all cases the distance actually traveled, for
46 each mile ~~11~~ 2
47 If any two or more papers are required to be served in the
48 same suit at the same time, where parties live in the same
49 direction, one mileage only may be charged.



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



1 (a) For commissions for receiving and paying over money on execution
2 or process, where lands or personal property have been levied on,
3 advertised or sold, on the first \$500, 4 percent; on any sum in excess of
4 \$500, and not exceeding \$1,000, 2 percent; on all sums above that amount,
5 1 percent.

6 (b) For commissions for receiving and paying over money on
7 executions without levy, or where the lands or goods levied on are not sold,
8 on the first \$3,500, 2 percent, and on all amounts over that sum, one-half of
9 1 percent.

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

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

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

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

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

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

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

31 258.125 1. Constables are entitled to the following fees for their
32 services:

33 For serving a summons or other process by which a suit is
34 commenced in civil cases ~~15~~ **17**
35 For summoning a jury before a justice of the peace ~~15~~ **7**
36 For taking a bond or undertaking ~~15~~ **5**
37 For serving an attachment against the property of a defendant ~~15~~ **9**
38 For serving subpoenas, for each witness ~~15~~ **15**
39 For a copy of any writ, process or order or other paper, when
40 demanded or required by law, per folio ~~15~~ **3**
41 For drawing and executing every constable's deed, to be paid by
42 the grantee, who must also pay for the acknowledgment
43 thereof ~~15~~ **20**
44 For each certificate of sale of real property under execution ~~15~~ **5**
45 For levying any writ of execution or writ of garnishment, or
46 executing an order of arrest in civil cases, or order for
47 delivery of personal property, with traveling fees as for
48 summons ~~15~~ **9**



- 1 For serving one notice required by law before the
2 commencement of a proceeding for any type of eviction.....~~15~~ 26
3 For serving not fewer than 2 nor more than 10 such notices to
4 the same location, each notice~~12~~ 20
5 For serving not fewer than 11 nor more than 24 such notices to
6 the same location, each notice~~10~~ 17
7 For serving 25 or more such notices to the same location, each
8 notice~~9~~ 15
9 For mileage in serving such a notice, for each mile necessarily
10 and actually traveled in going only ~~1~~ 2
11 But if two or more notices are served at the same general
12 location during the same period, mileage may only be
13 charged for the service of one notice.
14 For each service in a summary eviction, except service of any
15 notice required by law before commencement of the
16 proceeding, and for serving notice of and executing a writ of
17 restitution.....~~15~~ 21
18 For making and posting notices, and advertising property for
19 sale on execution, not to include the cost of publication in a
20 newspaper.....~~15~~ 9
21 For each warrant lawfully executed ~~13~~ 48
22 For mileage in serving summons, attachment, execution, order,
23 venire, subpoena, notice, summary eviction, writ of
24 restitution or other process in civil suits, for each mile
25 necessarily and actually traveled, in going only..... ~~1~~ 2
26 But when two or more persons are served in the same suit,
27 mileage may only be charged for the most distant, if they
28 live in the same direction.
29 For mileage in making a diligent but unsuccessful effort to
30 serve a summons, attachment, execution, order, venire,
31 subpoena or other process in civil suits, for each mile
32 necessarily and actually traveled, in going only..... ~~1~~ 2
33 But mileage may not exceed \$20 for any unsuccessful effort
34 to serve such process.
35 2. A constable is also entitled to receive:
36 (a) For receiving and taking care of property on execution, attachment
37 or order, his actual necessary expenses, to be allowed by the court which
38 issued the writ or order, upon the affidavit of the constable that the charges
39 are correct and the expenses necessarily incurred.
40 (b) For collecting all sums on execution or writ, to be charged against
41 the defendant, on the first \$3,500, 2 percent thereof, and on all amounts
42 over that sum, one-half of 1 percent.
43 (c) For service in criminal cases, except for execution of warrants, the
44 same fees as are allowed sheriffs for like services, to be allowed, audited
45 and paid as are other claims against the county.
46 3. Deputy sheriffs acting as constables are not entitled to retain for
47 their own use any fees collected by them, but the fees must be paid into the
48 county treasury on or before the 5th working day of the month next
49 succeeding the month in which the fees were collected.



- 1 4. Constables shall, on or before the 5th working day of each month,
2 account for and pay to the county treasurer all fees collected during the
3 preceding month, except fees which may be retained as compensation.
- 4 **Sec. 5.** NRS 259.200 is hereby amended to read as follows:
5 259.200 1. A justice of the peace is entitled, for each day necessarily
6 employed in holding an inquest, to a fee of ~~\$19~~ **\$23**.
7 2. This fee must be paid out of the county treasury as other demands
8 against the county are paid.
- 9 **Sec. 6.** (Deleted by amendment.)
- 10 **Sec. 6.5.** NRS 4.060 is hereby amended to read as follows:
11 4.060 1. Except as otherwise provided in this section, each justice of
12 the peace shall charge and collect the following fees:
13 (a) On the commencement of any action or proceeding in the justice's
14 court, other than in actions commenced pursuant to chapter 73 of NRS, to
15 be paid by the party commencing the action:
16 If the sum claimed does not exceed \$1,000..... \$28.00
17 If the sum claimed exceeds \$1,000 but does not exceed
18 \$2,500..... 50.00
19 If the sum claimed exceeds \$2,500 but does not exceed
20 \$4,500..... 100.00
21 If the sum claimed exceeds \$4,500 but does not exceed
22 \$6,500..... 125.00
23 If the sum claimed exceeds \$6,500 but does not exceed
24 \$7,500..... 150.00
25 In all other civil actions 28.00
26 (b) For the preparation and filing of an affidavit and order in an action
27 commenced pursuant to chapter 73 of NRS:
28 If the sum claimed does not exceed \$1,000..... 25.00
29 If the sum claimed exceeds \$1,000 but does not exceed
30 \$2,500..... 45.00
31 If the sum claimed exceeds \$2,500 but does not exceed
32 \$5,000..... 65.00
33 (c) On the appearance of any defendant, or any number of defendants
34 answering jointly, to be paid him or them on filing the first paper in the
35 action, or at the time of appearance:
36 In all civil actions 12.00
37 For every additional defendant, appearing separately 6.00
38 (d) No fee may be charged where a defendant or defendants appear in
39 response to an affidavit and order issued pursuant to the provisions of
40 chapter 73 of NRS.
41 (e) For the filing of any paper in intervention 6.00
42 (f) For the issuance of any writ of attachment, writ of garnishment, writ
43 of execution or any other writ designed to enforce any judgment of the
44 court 6.00
45 (g) For filing a notice of appeal, and appeal bonds 12.00
46 One charge only may be made if both papers are filed at the same time.
47 (h) For issuing supersedeas to a writ designed to enforce a
48 judgment or order of the court..... 12.00



1	(i) For preparation and transmittal of transcript and papers on	
2	appeal.....	12.00
3	(j) For celebrating a marriage and returning the certificate to	
4	the county recorder.....	135.00 \$50.00
5	(k) For entering judgment by confession.....	6.00
6	(l) For preparing any copy of any record, proceeding or paper,	
7	for each page	30
8	(m) For each certificate of the clerk, under the seal of the court.....	3.00
9	(n) For searching records or files in his office, for each year	1.00
10	(o) For filing and acting upon each bail or property bond	40.00
11	2. A justice of the peace shall not charge or collect any of the fees set	
12	forth in subsection 1 for any service rendered by him to the county in	
13	which his township is located.	
14	3. A justice of the peace shall not charge or collect the fee pursuant to	
15	paragraph (j) of subsection 1 if he performs a marriage ceremony in a	
16	commissioner township.	
17	4. Except as otherwise provided by an ordinance adopted pursuant to	
18	the provisions of NRS 244.207, the justice of the peace shall, on or before	
19	the fifth day of each month, account for and pay to the county treasurer all	
20	fees collected during the preceding month, except for the fees he may	
21	retain as compensation and the fees he is required to pay to the state	
22	treasurer pursuant to subsection 5.	
23	5. The justice of the peace shall, on or before the fifth day of each	
24	month, pay to the state treasurer half :	
25	<i>(a) An amount equal to \$5 of each fee collected pursuant to</i>	
26	<i>paragraph (j) of subsection 1 during the preceding month. The state</i>	
27	<i>treasurer shall deposit the money in the account for aid for victims of</i>	
28	<i>domestic violence in the state general fund.</i>	
29	<i>(b) Half</i> of the fees collected pursuant to paragraph (o) of subsection 1	
30	during the preceding month. The state treasurer shall deposit the money in	
31	the fund for the compensation of victims of crime.	
32	Sec. 7. NRS 17.110 is hereby amended to read as follows:	
33	17.110 The statement must be filed with the clerk of the court in which	
34	the judgment is to be entered. The clerk shall endorse upon it and enter in	
35	the judgment book a judgment of the court for the amount confessed, with	
36	135.00 \$28 costs. The judgment and affidavit, with the judgment endorsed,	
37	thereupon become the judgment roll.	
38	Sec. 8. NRS 19.013 is hereby amended to read as follows:	
39	19.013 1. Except as otherwise provided by specific statute, each	
40	county clerk shall charge and collect the following fees:	
41	On the commencement of any action or proceeding in the	
42	district court, or on the transfer of any action or proceeding	
43	from a district court of another county, except probate or	
44	guardianship proceedings, to be paid by the party	
45	commencing the action, proceeding or transfer.....	\$56
46	On an appeal to the district court of any case from a justice's	
47	court or a municipal court, or on the transfer of any case from	
48	a justice's court or a municipal court	42



1	On the filing of a petition for letters testamentary, letters of	
2	administration, setting aside an estate without administration,	
3	or a guardianship, which fee includes the court fee prescribed	
4	by NRS 19.020, to be paid by the petitioner:	
5	Where the stated value of the estate is more than \$2,500.....	72
6	Where the stated value of the estate is \$2,500 or less, no	
7	fee may be charged or collected.	
8	On the filing of a petition to contest any will or codicil, to be	
9	paid by the petitioner.....	44
10	On the filing of an objection or cross-petition to the appointment	
11	of an executor, administrator or guardian, or an objection to	
12	the settlement of account or any answer in an estate or	
13	guardianship matter.....	44
14	On the appearance of any defendant or any number of	
15	defendants answering jointly, to be paid upon the filing of the	
16	first paper in the action by him or them	44
17	For filing a notice of appeal	24
18	For issuing a transcript of judgment and certifying thereto.....	3
19	For preparing any copy of any record, proceeding or paper, for	
20	each page.....	1
21	For each certificate of the clerk, under the seal of the court.....	3
22	For examining and certifying to a copy of any paper, record or	
23	proceeding prepared by another and presented for his	
24	certificate.....	5
25	For filing all papers not otherwise provided for, other than	
26	papers filed in actions and proceedings in court and papers	
27	filed by public officers in their official capacity	15
28	For issuing any certificate under seal, not otherwise provided for.....	6
29	For searching records or files in his office, for each year	1
30	For filing and recording a bond of a notary public, per name	15
31	For entering the name of a firm or corporation in the register of	
32	the county clerk	15 20
33	2. Except as otherwise provided by specific statute, all fees prescribed	
34	in this section are payable in advance if demanded by the county clerk.	
35	3. The fees set forth in subsection 1 are payment in full for all services	
36	rendered by the county clerk in the case for which the fees are paid,	
37	including the preparation of the judgment roll, but the fees do not include	
38	payment for typing, copying, certifying or exemplifying or authenticating	
39	copies.	
40	4. No fee may be charged any attorney at law admitted to practice in	
41	this state for searching records or files in the office of the clerk. No fee	
42	may be charged for any services rendered to a defendant or his attorney in	
43	any criminal case or in habeas corpus proceedings.	
44	5. Each county clerk shall, on or before the fifth day of each month,	
45	account for and pay to the county treasurer all fees collected during the	
46	preceding month.	
47	Sec. 9. NRS 122.060 is hereby amended to read as follows:	
48	122.060 1. The clerk is entitled to receive as his fee for issuing the	
49	license the sum of \$13- \$21.	



1 2. The clerk shall also at the time of issuing the license collect the sum
2 of ~~10~~ **\$10** and pay it over to the county recorder as his fee for recording
3 the originally signed copy of the certificate of marriage described in NRS
4 122.120.

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

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

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

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

23 2. The clerk shall also at the time of issuing the license collect the sum
24 of \$10 and pay it over to the county recorder as his fee for recording the
25 originally signed copy of the certificate of marriage described in NRS
26 122.120.

27 3. The clerk shall also at the time of issuing the license collect the
28 additional sum of \$4 for the State of Nevada. The fees collected for the
29 state must be paid over to the county treasurer by the county clerk on or
30 before the 5th day of each month for the preceding calendar month, and
31 must be placed to the credit of the state general fund. The county treasurer
32 shall remit quarterly all such fees deposited by the clerk to the state
33 treasurer for credit to the state general fund.

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

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

43 122.181 1. The commissioner of civil marriages or his deputy
44 commissioner of civil marriages is entitled to receive as his fee for
45 solemnizing a marriage ~~35. All fees received for solemnizing marriages~~
46 ~~by the commissioner or his deputy~~ **\$45. The fee** must be deposited in the
47 county general fund.

48 **2. The commissioner of civil marriages or his deputy commissioner**
49 **of civil marriages shall also at the time of solemnizing a marriage collect**



1 *the additional sum of \$5 for the account for aid for victims of domestic*
2 *violence in the state general fund. The fees collected for this purpose*
3 *must be paid over to the county treasurer by the county clerk on or before*
4 *the fifth day of each month for the preceding calendar month, and must*
5 *be credited to that account. The county treasurer shall, on or before the*
6 *15th day of each month, remit those fees deposited by the clerk to the*
7 *state treasurer for credit to that account.*

8 **Sec. 10.** NRS 278.450 is hereby amended to read as follows:

9 278.450 ~~For the recordation of any final map, the~~ county
10 recorder shall collect a fee of ~~for \$35, plus 35 cents per lot or unit mapped, for~~
11 ~~the recordation of any final map.~~ *\$50 for the first sheet of the map and*
12 *\$10 for each additional sheet.* The fee must be deposited in the general
13 fund of the county where it is collected.

14 **Sec. 11.** NRS 278.468 is hereby amended to read as follows:

15 278.468 1. If a parcel map is approved or deemed approved pursuant
16 to NRS 278.464, the preparer of the map shall:

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

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

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

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

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

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

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

37 278.4725 1. Except as otherwise provided in this section, if the
38 governing body has authorized the planning commission to take final
39 action on a final map, the planning commission shall approve,
40 conditionally approve or disapprove the final map, basing its action upon
41 the requirements of NRS 278.472:

42 (a) In a county whose population is 40,000 or more, within 45 days; or
43 (b) In a county whose population is less than 40,000, within 60
44 days,

45 after accepting the final map as a complete application. The planning
46 commission shall file its written decision with the governing body. Except
47 as otherwise provided in subsection 5, or unless the time is extended by
48 mutual agreement, if the planning commission is authorized to take final



1 action and it fails to take action within the period specified in this
2 subsection, the final map shall be deemed approved unconditionally.

3 2. If there is no planning commission or if the governing body has not
4 authorized the planning commission to take final action, the governing
5 body or its authorized representative shall approve, conditionally approve
6 or disapprove the final map, basing its action upon the requirements of
7 NRS 278.472:

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

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

16 3. An applicant or other person aggrieved by a decision of the
17 authorized representative of the governing body or by a final act of the
18 planning commission may appeal to the governing body within a
19 reasonable period to be determined, by ordinance, by the governing body.
20 The governing body shall render its decision:

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

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

24 after the date on which the appeal is filed.
25 4. If the map is disapproved, the governing body or its authorized
26 representative or the planning commission shall return the map to the
27 person who proposes to divide the land, with the reason for its action and a
28 statement of the changes necessary to render the map acceptable.

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

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

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

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

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

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

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

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



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

4 (b) A certificate signed by the clerk of the governing body or authorized
5 representative of the governing body or the secretary to the planning
6 commission that the map was approved, or the affidavit of the person
7 presenting the map for filing that the time limited by subsection 1 or 2 for
8 action by the governing body or its authorized representative or the
9 planning commission has expired and that the requirements of subsection 5
10 have been met. A certificate signed pursuant to this paragraph must also
11 indicate, if applicable, that the governing body or planning commission
12 determined that a public street, easement or utility easement which will not
13 remain in effect after a merger and resubdivision of parcels conducted
14 pursuant to NRS 278.4925, has been vacated or abandoned in accordance
15 with NRS 278.480.

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

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

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

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

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

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

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

30 (1) The final map; or

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

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

36 11. The county recorder shall charge and collect for recording the map
37 a fee *set by the board of county commissioners* of not more than ~~the~~ *\$50 for the first sheet of*
38 ~~page set by the board of county commissioners.~~ *the map plus \$10 for each additional sheet.*
39

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

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

44 (b) Access to the digital final map and any digital supporting
45 documents.

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

47 278A.570 1. A plan which has been given final approval by the city
48 or county, must be certified without delay by the city or county and filed of
49 record in the office of the appropriate county recorder before any



1 development occurs in accordance with that plan. A county recorder shall
2 not file for record any final plan unless it includes:

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

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

7 (c) The same certificates of approval as are required under NRS
8 278.377 or evidence that:

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

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

12 2. Except as otherwise provided in this subsection, after the plan is
13 recorded, the zoning and subdivision regulations otherwise applicable to
14 the land included in the plan cease to apply. If the development is
15 completed in identifiable phases, then each phase can be recorded. The
16 zoning and subdivision regulations cease to apply after the recordation of
17 each phase to the extent necessary to allow development of that phase.

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

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

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

28 403.190 1. Except as otherwise provided in subsection 3, upon
29 laying out and designating the county roads as required in NRS 403.170,
30 the board of county highway commissioners shall cause a map of the
31 county to be made, showing the county roads and their designations. The
32 board shall file one copy of the map with the clerk of the board of county
33 highway commissioners, one copy with the department of transportation,
34 one copy with the county clerk and one copy with the county recorder.

35 2. When any road has been designated by the board of county highway
36 commissioners as a standard county road, as provided in NRS 403.180, that
37 designation must be made on the copies of the map on file with the clerk of
38 the board of county highway commissioners, the county clerk, the
39 department of transportation and the county recorder.

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

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

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



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

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

6 *1. The account to assist persons formerly in foster care is hereby*
7 *established in the department of human resources' gift fund.*

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

9 *3. The money in the account must be used to assist persons who*
10 *attained the age of 18 years while children in foster care in this state to*
11 *make the transition from foster care to economic self-sufficiency, and*
12 *may, consistent with that purpose, be:*

13 *(a) Disbursed on behalf of such persons, on the basis of need, to*
14 *obtain goods and services, including, without limitation:*

15 *(1) Job training;*

16 *(2) Housing assistance; and*

17 *(3) Medical insurance;*

18 *(b) Granted to nonprofit community organizations; or*

19 *(c) Expended to provide matching money required as a condition of*
20 *any federal grant.*

21 *4. A request for the disbursement of money from the account*
22 *pursuant to paragraph (a) of subsection 3 must be made to the division in*
23 *writing. The request must include information to demonstrate that all*
24 *other resources for money to pay for the goods and services have been*
25 *exhausted.*

26 *5. The division shall adopt such regulations as necessary for the*
27 *administration of this section.*

28 *6. Money in the account at the end of any fiscal year remains in the*
29 *account and does not revert to any other fund.*

30 **Sec. 15.** NRS 625.370 is hereby amended to read as follows:
31 625.370 1. The charge for filing and indexing any record of survey is
32 *\$17 ~~H~~ for the first page plus \$10 for each additional page.*

33 2. The record of survey must be suitably filed by the county recorder
34 and he shall keep proper indexes of such survey records by name of tract,
35 subdivision or United States land subdivision.

36 3. A county recorder who records a record of survey pursuant to this
37 section shall, within 7 working days after he records the record of survey,
38 provide to the county assessor at no charge:

39 (a) A duplicate copy of the record of survey and any supporting
40 documents; or

41 (b) Access to the digital record of survey and any digital supporting
42 documents.

43 **Sec. 16.** 1. This section and sections 9 and 9.7 of this act become
44 effective on July 1, 2001.

45 2. Sections 1 to 8, inclusive, and 10 to 15, inclusive, of this act become
46 effective on October 1, 2001.

47 3. Section 9 of this act expires by limitation on December 31, 2002.

48 4. Section 9.3 of this act becomes effective on January 1, 2003.

