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THIRD REPRINT

S.B. 131

SENATE BILL NO. 131—COMMITTEE ON JUDICIARY

(ON BEHALF OF THE NEVADA ASSOCIATION OF COUNTIES)

FEBRUARY 21, 2007

Referred to Committee on Judiciary

SUMMARY—Makes various changes regarding certain court fees charged by county clerks. (BDR 2-385)

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 governmental administration; authorizing each county clerk to charge and collect an additional fee to pay for the acquisition and improvement of technology used in the office of the county clerk; and providing other matters properly relating thereto.

Legislative Counsel's Digest:

Existing law requires each county clerk to charge and collect certain fees relating to certain civil actions and proceedings in district court. (NRS 19.013-19.0335) **Section 2** of this bill authorizes each county clerk to charge and collect an additional fee not to exceed \$5 for filing and recording a bond of a notary public, per name. The additional fee, if charged and collected, must be credited to an account described in **section 1** of this bill. (NRS 19.013) **Section 1** provides that if a county clerk charges and collects an additional fee for filing and recording a bond of a notary public, the proceeds must be accounted for separately in the county general fund and the money in the account must be used only to acquire technology for or to improve technology used in the office of the county clerk.

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

Section 1. Chapter 19 of NRS is hereby amended by adding thereto a new section to read as follows:

1. If a county clerk imposes an additional fee pursuant to subsection 2 of NRS 19.013, the proceeds collected from such a fee must be accounted for separately in the county general fund.



1 *Any interest earned on money in the account, after deducting any*
2 *applicable charges, must be credited to the account. Money that*
3 *remains in the account at the end of a fiscal year does not revert to*
4 *the county general fund, and the balance in the account must be*
5 *carried forward to the next fiscal year.*

6 2. *The money in the account must be used only to acquire*
7 *technology for or to improve technology used in the office of the*
8 *county clerk, including, without limitation, costs related to*
9 *acquiring or improving technology for converting and archiving*
10 *records, purchasing hardware and software, maintaining the*
11 *technology, training employees in the operation of the technology*
12 *and contracting for professional services relating to the*
13 *technology.*

14 **Sec. 2.** NRS 19.013 is hereby amended to read as follows:

15 19.013 1. Except as otherwise provided by specific statute,
16 each county clerk shall charge and collect the following fees:
17

18 On the commencement of any action or proceeding in
19 the district court, or on the transfer of any action or
20 proceeding from a district court of another county,
21 except probate or guardianship proceedings, to be
22 paid by the party commencing the action,
23 proceeding or transfer\$56

24 On an appeal to the district court of any case from a
25 justice court or a municipal court, or on the transfer
26 of any case from a justice court or a municipal court.....42

27 On the filing of a petition for letters testamentary,
28 letters of administration, setting aside an estate
29 without administration, or a guardianship, which fee
30 includes the court fee prescribed by NRS 19.020, to
31 be paid by the petitioner:

32 Where the stated value of the estate is more than
33 \$2,50072

34 Where the stated value of the estate is \$2,500 or
35 less, no fee may be charged or collected.

36 On the filing of a petition to contest any will or codicil,
37 to be paid by the petitioner.....44

38 On the filing of an objection or cross-petition to the
39 appointment of an executor, administrator or
40 guardian, or an objection to the settlement of
41 account or any answer in an estate or guardianship
42 matter44

43 On the appearance of any defendant or any number of
44 defendants answering jointly, to be paid upon the
45 filing of the first paper in the action by him or them.....44



1	For filing a notice of appeal	\$24
2	For issuing a transcript of judgment and certifying	
3	thereto	3
4	For preparing any copy of any record, proceeding or	
5	paper, for each page	1
6	For each certificate of the clerk, under the seal of the	
7	court	3
8	For examining and certifying to a copy of any paper,	
9	record or proceeding prepared by another and	
10	presented for his certificate	5
11	For filing all papers not otherwise provided for, other	
12	than papers filed in actions and proceedings in court	
13	and papers filed by public officers in their official	
14	capacity	5
15	For issuing any certificate under seal, not otherwise	
16	provided for.....	6
17	For searching records or files in his office, for each	
18	year.....	1
19	For filing and recording a bond of a notary public, per	
20	name	15
21	For entering the name of a firm or corporation in the	
22	register of the county clerk	20

23
24 2. *A county clerk may charge and collect, in addition to any*
25 *fee that a county clerk is otherwise authorized to charge and*
26 *collect, an additional fee not to exceed \$5 for filing and recording*
27 *a bond of a notary public, per name. On or before the fifth day of*
28 *each month, the county clerk shall pay to the county treasurer the*
29 *amount of fees collected by him pursuant to this subsection for*
30 *credit to the account established pursuant to section 1 of this act.*

31 3. Except as otherwise provided by specific statute, all fees
32 prescribed in this section are payable in advance if demanded by the
33 county clerk.

34 ~~13-1~~ 4. The fees set forth in subsection 1 are payment in full for
35 all services rendered by the county clerk in the case for which the
36 fees are paid, including the preparation of the judgment roll, but the
37 fees do not include payment for typing, copying, certifying or
38 exemplifying or authenticating copies.

39 ~~14-1~~ 5. No fee may be charged *to* any attorney at law admitted
40 to practice in this State for searching records or files in the office of
41 the clerk. No fee may be charged for any services rendered to a
42 defendant or his attorney in any criminal case or in habeas corpus
43 proceedings.



- 1 ~~5.1~~ 6. Each county clerk shall, on or before the fifth day of
- 2 each month, account for and pay to the county treasurer all fees
- 3 collected during the preceding month.
- 4 **Sec. 3.** (Deleted by amendment.)
- 5 **Sec. 4.** This act becomes effective on July 1, 2007 and expires
- 6 by limitation on July 1, 2013.

