

ASSEMBLY BILL NO. 92—ASSEMBLYWOMAN FLORES

PREFILED JANUARY 10, 2011

Referred to Committee on Judiciary

SUMMARY—Provides for the waiver of fees for the issuance of certain forms of identifying information for certain persons released from prison. (BDR 40-598)

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

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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 convicted persons; providing for the waiver of fees for the issuance of certain forms of identifying information for certain persons released from prison; and providing other matters properly relating thereto.

Legislative Counsel's Digest:

1 Existing law provides for the waiver of certain fees relating to the issuance of
2 certified copies of birth certificates and duplicate drivers' licenses and
3 identification cards to homeless persons. (NRS 440.175, 440.700, 483.417,
4 483.825) **Sections 1-4** of this bill provide for a similar waiver of such fees for
5 persons who were released from prison within the immediately preceding 90 days.
6 **Section 5** of this bill requires the Department of Motor Vehicles to encourage each
7 vendor that has entered into an agreement with the Department to produce
8 photographs for drivers' licenses and identification cards to waive the cost charged
9 to the Department to produce the photographs for such persons who were released
10 from prison.

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

1 **Section 1.** NRS 440.175 is hereby amended to read as follows:
2 440.175 1. Upon request, the State Registrar may furnish
3 statistical data to any federal, state, local or other public or private
4 agency, upon such terms or conditions as may be prescribed by the
5 Board.



2. No person may prepare or issue any document which purports to be an original, certified copy, certified abstract or official copy of:

(a) A certificate of birth, death or fetal death, except as authorized in this chapter or by the Board.

(b) A certificate of marriage, except a county clerk, county recorder or a person so required pursuant to NRS 122.120.

(c) A decree of divorce or annulment of marriage, except a county clerk or the judge of a court of record.

3. A person or governmental organization which issues certified or official copies pursuant to paragraph (a) of subsection 2 shall:

(a) Not charge a fee for issuing a certified or official copy of a certificate of birth to ~~fat~~:

(1) A homeless person who submits a signed affidavit on a form prescribed by the State Registrar stating that the person is homeless.

(2) A person who submits documentation from the Department of Corrections verifying that the person was released from prison within the immediately preceding 90 days.

(b) Remit to the State Registrar fees collected which are charged in an amount established by the State Registrar by regulation:

(1) For each registration of a birth or death in its district.

(2) For each copy issued of a certificate of birth in its district, other than a copy issued pursuant to paragraph (a).

(3) For each copy issued of a certificate of death in its district.

Sec. 2. NRS 440.700 is hereby amended to read as follows:

440.700 1. Except as otherwise provided in this section, the State Registrar shall charge and collect a fee in an amount established by the State Registrar by regulation:

(a) For searching the files for one name, if no copy is made.

(b) For verifying a vital record.

(c) For establishing and filing a record of paternity (other than a hospital-based paternity), and providing a certified copy of the new record.

(d) For a certified copy of a record of birth.

(e) For a certified copy of a record of death originating in a county in which the board of county commissioners has not created an account for the support of the office of the county coroner pursuant to NRS 259.025.

(f) For a certified copy of a record of death originating in a county in which the board of county commissioners has created an account for the support of the office of the county coroner pursuant to NRS 259.025.



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(g) For correcting a record on file with the State Registrar and providing a certified copy of the corrected record.

(h) For replacing a record on file with the State Registrar and providing a certified copy of the new record.

(i) For filing a delayed certificate of birth and providing a certified copy of the certificate.

(j) For the services of a notary public, provided by the State Registrar.

(k) For an index of records of marriage provided on microfiche to a person other than a county clerk or a county recorder of a county of this State.

(l) For an index of records of divorce provided on microfiche to a person other than a county clerk or a county recorder of a county in this State.

(m) For compiling data files which require specific changes in computer programming.

2. The fee collected for furnishing a copy of a certificate of birth or death must include the sum of \$3 for credit to the Children's Trust Account created by NRS 432.131.

3. The fee collected for furnishing a copy of a certificate of death must include the sum of \$1 for credit to the Review of Death of Children Account created by NRS 432B.409.

4. The State Registrar shall not charge a fee for furnishing a certified copy of a record of birth to ~~fe~~:

(a) A homeless person who submits a signed affidavit on a form prescribed by the State Registrar stating that the person is homeless.

(b) *A person who submits documentation from the Department of Corrections verifying that the person was released from prison within the immediately preceding 90 days.*

5. The fee collected for furnishing a copy of a certificate of death originating in a county in which the board of county commissioners has created an account for the support of the office of the county coroner pursuant to NRS 259.025 must include the sum of \$1 for credit to the account for the support of the office of the county coroner of the county in which the certificate originates.

6. Upon the request of any parent or guardian, the State Registrar shall supply, without the payment of a fee, a certificate limited to a statement as to the date of birth of any child as disclosed by the record of such birth when the certificate is necessary for admission to school or for securing employment.

7. The United States Bureau of the Census may obtain, without expense to the State, transcripts or certified copies of births and deaths without payment of a fee.



1 **Sec. 3.** NRS 483.417 is hereby amended to read as follows:

2 483.417 1. The Department shall waive the fee prescribed by
3 NRS 483.410 and the increase in the fee required by NRS 483.347
4 not more than one time for furnishing a duplicate driver's license to
5 ~~that~~ :

6 (a) A homeless person who submits a signed affidavit on a form
7 prescribed by the Department stating that the person is homeless.

8 (b) *A person who submits documentation from the Department*
9 *of Corrections verifying that the person was released from prison*
10 *within the immediately preceding 90 days.*

11 2. A vendor that has entered into an agreement with the
12 Department to produce photographs for drivers' licenses pursuant to
13 NRS 483.347 may waive the cost it charges the Department to
14 produce the photograph of a homeless person *or person released*
15 *from prison* for a duplicate driver's license.

16 3. If the vendor does not waive pursuant to subsection 2 the
17 cost it charges the Department and the Department has waived the
18 increase in the fee required by NRS 483.347 for a duplicate driver's
19 license furnished to a ~~homeless~~ person pursuant to subsection 1,
20 the ~~homeless~~ person shall reimburse the Department in an amount
21 equal to the increase in the fee required by NRS 483.347 if the
22 ~~homeless~~ person:

23 (a) Applies to the Department for the renewal of his or her
24 driver's license; and

25 (b) Is employed at the time of such application.

26 4. The Department may accept gifts, grants and donations of
27 money to fund the provision of duplicate drivers' licenses without a
28 fee to ~~homeless~~ persons *and pursuant to subsection 1.*

29 **Sec. 4.** NRS 483.825 is hereby amended to read as follows:

30 483.825 1. The Department shall waive the fee prescribed by
31 NRS 483.820 and the increase in the fee required by NRS 483.347
32 not more than one time for furnishing a duplicate identification card
33 to ~~that~~ :

34 (a) A homeless person who submits a signed affidavit on a form
35 prescribed by the Department stating that the person is homeless.

36 (b) *A person who submits documentation from the Department*
37 *of Corrections verifying that the person was released from prison*
38 *within the immediately preceding 90 days.*

39 2. A vendor that has entered into an agreement with the
40 Department to produce photographs for identification cards pursuant
41 to NRS 483.347 may waive the cost it charges the Department to
42 produce the photograph of a homeless person *or person released*
43 *from prison* for a duplicate identification card.

44 3. If the vendor does not waive pursuant to subsection 2 the
45 cost it charges the Department and the Department has waived the



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1 increase in the fee required by NRS 483.347 for a duplicate
2 identification card furnished to a ~~homeless~~ person pursuant to
3 subsection 1, the ~~homeless~~ person shall reimburse the Department
4 in an amount equal to the increase in the fee required by NRS
5 483.347 if the ~~homeless~~ person:

6 (a) Applies to the Department for the renewal of his or her
7 identification card; and

8 (b) Is employed at the time of such application.

9 4. The Department may accept gifts, grants and donations of
10 money to fund the provision of duplicate identification cards
11 without a fee to ~~homeless~~ persons ~~[-]~~ *pursuant to subsection 1.*

12 5. As used in this section, "photograph" has the meaning
13 ascribed to it in NRS 483.125.

14 **Sec. 5.** The Department of Motor Vehicles shall encourage
15 each vendor that has entered into an agreement with the Department
16 to produce photographs for drivers' licenses and identification cards
17 pursuant to NRS 483.347 to waive the cost that the vendor charges
18 the Department to produce photographs for duplicate drivers'
19 licenses or identification cards furnished to persons released from
20 prison within the immediately preceding 90 days pursuant to
21 subsection 2 of NRS 483.417, as amended by section 3 of this act,
22 and subsection 2 of NRS 483.825, as amended by section 4 of this
23 act.

24 **Sec. 6.** This act becomes effective on February 1, 2012.

