

Amendment No. 101

Assembly Amendment to Assembly Bill No. 92 (BDR 40-598)

Proposed by: Assembly Committee on Judiciary

Amends: Summary: No Title: No Preamble: No Joint Sponsorship: No Digest: Yes

ASSEMBLY ACTION				Initial and Date	SENATE ACTION				Initial and Date
Adopted	<input type="checkbox"/>	Lost	<input type="checkbox"/>	_____	Adopted	<input type="checkbox"/>	Lost	<input type="checkbox"/>	_____
Concurred In	<input type="checkbox"/>	Not	<input type="checkbox"/>	_____	Concurred In	<input type="checkbox"/>	Not	<input type="checkbox"/>	_____
Receded	<input type="checkbox"/>	Not	<input type="checkbox"/>	_____	Receded	<input type="checkbox"/>	Not	<input type="checkbox"/>	_____

EXPLANATION: Matter in (1) *blue bold italics* is new language in the original bill; (2) *green bold italic underlining* is new language proposed in this amendment; (3) ~~red strikethrough~~ is deleted language in the original bill; (4) ~~purple double strikethrough~~ is language proposed to be deleted in this amendment; (5) orange double underlining is deleted language in the original bill that is proposed to be retained in this amendment; and (6) *green bold underlining* is newly added transitory language.

MNM/BAW



Date: 3/31/2011

A.B. No. 92—Provides for the waiver of fees for the issuance of certain forms of identifying information for certain persons released from prison.
(BDR 40-598)



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:

Existing law provides for the waiver of certain fees relating to the issuance of certified copies of birth certificates and duplicate drivers' licenses and identification cards to homeless persons. (NRS 440.175, 440.700, 483.417, 483.825) **Sections 1-4** of this bill provide for a similar waiver of such fees for persons who were released from prison within the immediately preceding ~~16 months~~ **90 days**. **Section 5** of this bill requires the Department of Motor Vehicles to encourage each vendor that has entered into an agreement with the Department to produce photographs for drivers' licenses and identification cards to waive the cost charged to the Department to produce the photographs for such persons who were released from prison.

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

Section 1. NRS 440.175 is hereby amended to read as follows:

440.175 1. Upon request, the State Registrar may furnish statistical data to any federal, state, local or other public or private agency, upon such terms and conditions as may be prescribed by the 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 ~~6 months~~ 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.

(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 ~~fat~~:

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

1 ***(b) A person who submits documentation from the Department of***
2 ***Corrections verifying that the person was released from prison within the***
3 ***immediately preceding ~~6 months~~ 90 days.***

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

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

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

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

16 483.417 1. The Department shall waive the fee prescribed by NRS 483.410
17 and the increase in the fee required by NRS 483.347 not more than one time for
18 furnishing a duplicate driver's license to ~~{a}~~:

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

21 ***(b) A person who submits documentation from the Department of***
22 ***Corrections verifying that the person was released from prison within the***
23 ***immediately preceding ~~6 months~~ 90 days.***

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

28 3. If the vendor does not waive pursuant to subsection 2 the cost it charges the
29 Department and the Department has waived the increase in the fee required by NRS
30 483.347 for a duplicate driver's license furnished to a ~~{homeless}~~ person pursuant
31 to subsection 1, the ~~{homeless}~~ person shall reimburse the Department in an amount
32 equal to the increase in the fee required by NRS 483.347 if the ~~{homeless}~~ person:

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

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

35 4. The Department may accept gifts, grants and donations of money to fund
36 the provision of duplicate drivers' licenses without a fee to ~~{homeless}~~ persons ~~{}~~
37 ***pursuant to subsection 1.***

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

39 483.825 1. The Department shall waive the fee prescribed by NRS 483.820
40 and the increase in the fee required by NRS 483.347 not more than one time for
41 furnishing a duplicate identification card to ~~{a}~~:

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

44 ***(b) A person who submits documentation from the Department of***
45 ***Corrections verifying that the person was released from prison within the***
46 ***immediately preceding ~~6 months~~ 90 days.***

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

51 3. If the vendor does not waive pursuant to subsection 2 the cost it charges the
52 Department and the Department has waived the increase in the fee required by NRS
53 483.347 for a duplicate identification card furnished to a ~~{homeless}~~ person

1 pursuant to subsection 1, the ~~{homeless}~~ person shall reimburse the Department in
2 an amount equal to the increase in the fee required by NRS 483.347 if the
3 ~~{homeless}~~ person:

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

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

7 4. The Department may accept gifts, grants and donations of money to fund
8 the provision of duplicate identification cards without a fee to ~~{homeless}~~ persons
9 ~~{}~~ pursuant to subsection 1.

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

12 **Sec. 5.** The Department of Motor Vehicles shall encourage each vendor that
13 has entered into an agreement with the Department to produce photographs for
14 drivers' licenses and identification cards pursuant to NRS 483.347 to waive the cost
15 that the vendor charges the Department to produce photographs for duplicate
16 drivers' licenses or identification cards furnished to persons released from prison
17 within the immediately preceding ~~{6 months}~~ 90 days pursuant to subsection 2 of
18 NRS 483.417, as amended by section 3 of this act, and subsection 2 of NRS
19 483.825, as amended by section 4 of this act.

20 **Sec. 6.** This act becomes effective on ~~{July 1, 2011}~~ February 1, 2012.