

Senate Bill No. 395—Senators Kihuen, Parks, Manendo,
Atkinson, Ford; Spearman and Woodhouse

CHAPTER.....

AN ACT relating to marriage; revising provisions relating to fees charged and collected for the issuance of a marriage license; authorizing a board of county commissioners to adopt an ordinance imposing an additional fee for the issuance of a marriage license which must be used to promote marriage tourism in the county; authorizing a county to provide a space at certain county clerk offices for the display of informational brochures of certain persons who perform weddings; and providing other matters properly relating thereto.

Legislative Counsel's Digest:

Section 1 of this bill authorizes a county whose population is 100,000 or more (currently Clark and Washoe Counties) to provide a space outside each office and branch office of the county clerk in which a commercial wedding chapel, a licensed business which operates principally for the performance of weddings in the county or a church or religious organization incorporated, organized or established in this State may place informational brochures for display.

Under existing law, the county clerk is required to collect certain fees for the issuance of a marriage license. **Sections 4 and 56** of this bill authorize a board of county commissioners in a county whose population is 700,000 or more (currently Clark County) to adopt an ordinance imposing an additional fee of not more than \$14 for the issuance of a marriage license. Under **section 56**, if a board of county commissioners adopts such an ordinance, the fee must be deposited in a special revenue fund designated as the fund for the promotion of marriage tourism, and money in the fund must be used by the county clerk to promote marriage tourism in the county. **Section 4** also specifically states that any administrative fee charged and collected by a county clerk's office, including, without limitation, a fee for providing a copy of a marriage license, is separate from any fee charged and collected for the issuance of a marriage license.

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

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

Section 1. Chapter 122 of NRS is hereby amended by adding thereto a new section to read as follows:

In each county whose population is 100,000 or more, the county may provide a space outside each office and branch office of the county clerk in which a commercial wedding chapel, a licensed business which operates principally for the performance of weddings in the county or a church or religious organization



incorporated, organized or established in this State may place informational brochures for display.

Secs. 2 and 3. (Deleted by amendment.)

Sec. 4. NRS 122.060 is hereby amended to read as follows:

122.060 1. The county clerk is entitled to receive as his or her fee for issuing a marriage license the sum of \$21.

2. The county clerk shall also at the time of issuing the marriage license:

(a) Collect the sum of \$10 and:

(1) If the board of county commissioners has adopted an ordinance pursuant to NRS 246.100, deposit the sum into the county general fund pursuant to NRS 246.180 for filing the originally signed certificate of marriage described in NRS 122.120.

(2) If the board of county commissioners has not adopted an ordinance pursuant to NRS 246.100, pay it over to the county recorder as his or her fee for recording the originally signed certificate of marriage described in NRS 122.120.

(b) Collect the additional fee described in subsection 2 of NRS 246.180, if the board of county commissioners has adopted an ordinance authorizing the collection of such fee, and deposit the fee pursuant to NRS 246.190.

(c) Collect the additional fee imposed pursuant to section 56 of this act, if the board of county commissioners has adopted an ordinance imposing the fee.

3. The county clerk shall also at the time of issuing the marriage license collect the additional sum of \$4 for the State of Nevada. The fees collected for the State must be paid over to the county treasurer by the county clerk on or before the fifth day of each month for the preceding calendar month, and must be placed to the credit of the State General Fund. The county treasurer shall remit quarterly all such fees deposited by the county clerk to the State Controller for credit to the State General Fund.

4. The county clerk shall also at the time of issuing the marriage license collect the additional sum of \$25 for the Account for Aid for Victims of Domestic Violence in the State General Fund. The fees collected for this purpose must be paid over to the county treasurer by the county clerk on or before the fifth day of each month for the preceding calendar month, and must be placed to the credit of that Account. The county treasurer shall, on or before the 15th day of each month, remit those fees deposited by the county clerk to the State Controller for credit to that Account.

5. Any fee charged and collected pursuant to this section is separate and distinct from any administrative fee charged and



collected by a county clerk's office, including, without limitation, a fee for certifying a copy of a marriage license.

Secs. 5-55. (Deleted by amendment.)

Sec. 56. Chapter 246 of NRS is hereby amended by adding thereto a new section to read as follows:

1. In a county whose population is 700,000 or more, the board of county commissioners may impose by ordinance an additional fee of not more than \$14 for the issuance of a marriage license.

2. An ordinance adopted pursuant to subsection 1 must include a provision creating a special revenue fund designated as the fund for the promotion of marriage tourism. Any money collected from a fee imposed pursuant to subsection 1 must be paid by the county clerk to the county treasurer, and the county treasurer shall deposit the money received in the fund.

3. Any interest earned on money in the fund, after deducting any applicable charges, must be credited to the fund.

4. Any money remaining in the fund at the end of a fiscal year must not revert to the county general fund, and the balance in the fund must be carried forward to the next fiscal year.

5. The money in the fund:

(a) Must be used by the county clerk only to promote wedding tourism in the county.

(b) Must not be used to replace or supplant any money available to fund the regular operations of the office of the county clerk.

6. If a board of county commissioners adopts an ordinance pursuant to subsection 1, on or before July 1 of each year, the county clerk shall submit to the board of county commissioners a report of the projected expenditures of the money in the fund for the following fiscal year.

Secs. 57-64. (Deleted by amendment.)

Sec. 65. This act becomes effective upon passage and approval.

