

ASSEMBLY BILL NO. 192—COMMITTEE ON WAYS AND MEANS

FEBRUARY 21, 2011

Referred to Committee on Ways and Means

SUMMARY—Revises various provisions relating to fees charged by county recorders. (BDR 20-901)

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 county recorders; providing for the collection and disposition of an additional fee for certain recorded documents; and providing other matters properly relating thereto.

Legislative Counsel’s Digest:

1 Existing law requires a county recorder to charge and collect a fee of \$1 for
2 recording a document, instrument, paper, notice, deed, conveyance, map, chart,
3 survey or any other writing other than an originally signed copy of a certificate of
4 marriage. (NRS 247.305) This bill requires a county recorder to charge an
5 additional \$2 fee for each such recording and provides that such fees must be used
6 to provide legal services for abused and neglected children.

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

1 **Section 1.** NRS 247.305 is hereby amended to read as follows:
2 247.305 1. If another statute specifies the fee to be charged
3 for a service, county recorders shall charge and collect only the fee
4 specified. Otherwise, unless prohibited by NRS 375.060, county
5 recorders shall charge and collect the following fees:
6 (a) For recording any document, for the first page, \$10.
7 (b) For each additional page, \$1.
8 (c) For recording each portion of a document which must be
9 separately indexed, after the first indexing, \$3.
10 (d) For copying any record, for each page, \$1.
11 (e) For certifying, including certificate and seal, \$4.



1 (f) For a certified copy of a certificate of marriage, \$10.

2 (g) For a certified abstract of a certificate of marriage, \$10.

3 (h) For a certified copy of a certificate of marriage or for a
4 certified abstract of a certificate of marriage, the additional sum of
5 \$5 for the Account for Aid for Victims of Domestic Violence in the
6 State General Fund. The fees collected for this purpose must be paid
7 over to the county treasurer by the county recorder on or before the
8 fifth day of each month for the preceding calendar month, and must
9 be credited to that Account. The county treasurer shall, on or before
10 the 15th day of each month, remit those fees deposited by the
11 recorder to the State Controller for credit to that Account.

12 2. Except as otherwise provided in this subsection and NRS
13 375.060, a county recorder may charge and collect, in addition to
14 any fee that a county recorder is otherwise authorized to charge and
15 collect, an additional fee not to exceed \$3 for recording a document,
16 instrument, paper, notice, deed, conveyance, map, chart, survey or
17 any other writing. A county recorder may not charge the additional
18 fee authorized in this subsection for recording the originally signed
19 copy of a certificate of marriage described in NRS 122.120. On or
20 before the fifth day of each month, the county recorder shall pay the
21 amount of fees collected by him or her pursuant to this subsection to
22 the county treasurer for credit to the account established pursuant to
23 NRS 247.306.

24 3. Except as otherwise provided in this subsection and NRS
25 375.060, a county recorder shall charge and collect, in addition to
26 any fee that a county recorder is otherwise authorized to charge and
27 collect, an additional fee of ~~1\$1~~ \$3 for recording a document,
28 instrument, paper, notice, deed, conveyance, map, chart, survey or
29 any other writing. A county recorder shall not charge the additional
30 fee authorized in this subsection for recording the originally signed
31 copy of a certificate of marriage described in NRS 122.120. On or
32 before the fifth day of each month, the county recorder shall pay the
33 amount of fees collected by him or her pursuant to this subsection to
34 the county treasurer. On or before the 15th day of each month, the
35 county treasurer shall remit the money received by him or her
36 pursuant to this subsection *in the following amounts for each fee*
37 *received:*

38 (a) *Two dollars to the organization operating a program for*
39 *legal services as set forth in NRS 19.031 to be used to provide legal*
40 *services for abused and neglected children.*

41 (b) *One dollar* to the State Treasurer for credit to the Account to
42 Assist Persons Formerly in Foster Care established pursuant to
43 NRS 432.017.

44 4. Except as otherwise provided in this subsection, subsection
45 5 or by specific statute, a county recorder may charge and collect, in



1 addition to any fee that a county recorder is otherwise authorized to
2 charge and collect, an additional fee not to exceed \$25 for recording
3 any document that does not meet the standards set forth in
4 subsection 3 of NRS 247.110. A county recorder shall not charge
5 the additional fee authorized by this subsection for recording a
6 document that is exempt from the provisions of subsection 3 of
7 NRS 247.110.

8 5. Except as otherwise provided in subsection 6, a county
9 recorder shall not charge or collect any fees for any of the services
10 specified in this section when rendered by the county recorder to:

11 (a) The county in which the county recorder's office is located.

12 (b) The State of Nevada or any city or town within the county in
13 which the county recorder's office is located, if the document being
14 recorded:

15 (1) Conveys to the State, or to that city or town, an interest in
16 land;

17 (2) Is a mortgage or deed of trust upon lands within the
18 county which names the State or that city or town as beneficiary;

19 (3) Imposes a lien in favor of the State or that city or town;
20 or

21 (4) Is a notice of the pendency of an action by the State or
22 that city or town.

23 6. A county recorder shall charge and collect the fees specified
24 in this section for copying any document at the request of the State
25 of Nevada, and any city or town within the county. For copying, and
26 for his or her certificate and seal upon the copy, the county recorder
27 shall charge the regular fee.

28 7. If the amount of money collected by a county recorder for a
29 fee pursuant to this section:

30 (a) Exceeds by \$5 or less the amount required by law to be paid,
31 the county recorder shall deposit the excess payment with the
32 county treasurer for credit to the county general fund.

33 (b) Exceeds by more than \$5 the amount required by law to be
34 paid, the county recorder shall refund the entire amount of the
35 excess payment.

36 8. Except as otherwise provided in subsection 2, 3 or 7 or by an
37 ordinance adopted pursuant to the provisions of NRS 244.207,
38 county recorders shall, on or before the fifth working day of each
39 month, account for and pay to the county treasurer all such fees
40 collected during the preceding month.

41 9. For the purposes of this section, "State of Nevada,"
42 "county," "city" and "town" include any department or agency
43 thereof and any officer thereof in his or her official capacity.



1 **Sec. 2.** This act becomes effective on July 1, 2011.

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