

SENATE BILL NO. 162—COMMITTEE ON JUDICIARY

(ON BEHALF OF THE NEVADA ASSOCIATION OF COUNTIES)

FEBRUARY 18, 2003

Referred to Committee on Judiciary

SUMMARY—Makes various changes regarding fees charged and collected by county clerks. (BDR 2-171)

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 clerks; authorizing county clerks to charge and collect an additional fee to pay for the acquisition and improvement of technology used in the office of the county clerk; increasing the amount of certain court fees charged and collected by county clerks; and providing other matters properly relating thereto.

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

- 1     **Section 1.** Chapter 19 of NRS is hereby amended by adding
- 2     thereto a new section to read as follows:
- 3         ***1. If a county clerk imposes an additional fee pursuant to***
- 4         ***subsection 2 of NRS 19.013, the proceeds collected from such a***
- 5         ***fee must be accounted for separately in the county general fund.***
- 6         ***Any interest earned on money in the account, after deducting any***
- 7         ***applicable charges, must be credited to the account. Money that***
- 8         ***remains in the account at the end of a fiscal year does not revert to***
- 9         ***the county general fund, and the balance in the account must be***
- 10        ***carried forward to the next fiscal year.***
- 11        ***2. The money in the account must be used only to acquire***
- 12        ***technology for or improve the technology used in the office of the***
- 13        ***county clerk, including, without limitation, costs related to***
- 14        ***acquiring or improving technology for converting and archiving***



1 *records, purchasing hardware and software, maintaining the*  
2 *technology, training employees in the operation of the technology*  
3 *and contracting for professional services relating to the*  
4 *technology.*

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

6 19.013 1. Except as otherwise provided by specific statute,  
7 each county clerk shall charge and collect the following fees:

- 8
- 9 On the commencement of any action or
- 10 proceeding in the district court, or on the
- 11 transfer of any action or proceeding from a
- 12 district court of another county, except probate
- 13 or guardianship proceedings, to be paid by the
- 14 party commencing the action, proceeding or
- 15 transfer ..... ~~[\$56]~~ \$65
- 16 On an appeal to the district court of any case from
- 17 a justice's court or a municipal court, or on the
- 18 transfer of any case from a justice's court or a
- 19 municipal court ..... ~~[42]~~ 49
- 20 On the filing of a petition for letters testamentary,
- 21 letters of administration, setting aside an estate
- 22 without administration, or a guardianship,
- 23 which fee includes the court fee prescribed by
- 24 NRS 19.020, to be paid by the petitioner:
- 25 Where the stated value of the estate is more
- 26 than \$2,500 ..... ~~[72]~~ 80
- 27 Where the stated value of the estate is
- 28 \$2,500 or less, no fee may be charged or
- 29 collected.
- 30 On the filing of a petition to contest any will or
- 31 codicil, to be paid by the petitioner ..... ~~[44]~~ 52
- 32 On the filing of an objection or cross-petition to
- 33 the appointment of an executor, administrator
- 34 or guardian, or an objection to the settlement
- 35 of account or any answer in an estate or
- 36 guardianship matter ..... ~~[44]~~ 52
- 37 On the appearance of any defendant or any
- 38 number of defendants answering jointly, to be
- 39 paid upon the filing of the first paper in the
- 40 action by him or them ..... ~~[44]~~ 52
- 41 For filing a notice of appeal ..... ~~[24]~~ 28
- 42 For issuing a transcript of judgment and certifying
- 43 thereto ..... 3
- 44 For preparing any copy of any record, proceeding
- 45 or paper, for each page ..... 1



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

18  
19 2. *A county clerk may charge and collect, in addition to any*  
20 *fee that a county clerk is otherwise authorized to charge and*  
21 *collect, an additional fee not to exceed \$5 for filing and recording*  
22 *a bond of a notary public, per name. On or before the fifth day of*  
23 *each month, the county clerk shall pay to the county treasurer the*  
24 *amount of fees collected by him pursuant to this subsection for*  
25 *credit to the account established pursuant to section 1 of this act.*

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

29 ~~3.~~ 4. The fees set forth in subsection 1 are payment in full for  
30 all services rendered by the county clerk in the case for which the  
31 fees are paid, including the preparation of the judgment roll, but the  
32 fees do not include payment for typing, copying, certifying or  
33 exemplifying or authenticating copies.

34 ~~4.~~ 5. No fee may be charged *to* any attorney at law admitted  
35 to practice in this state for searching records or files in the office of  
36 the clerk. No fee may be charged for any services rendered to a  
37 defendant or his attorney in any criminal case or in habeas corpus  
38 proceedings.

39 ~~5.~~ 6. Each county clerk shall, on or before the fifth day of  
40 each month, account for and pay to the county treasurer all fees  
41 collected during the preceding month.

42 **Sec. 3.** NRS 19.0315 is hereby amended to read as follows:

43 19.0315 1. Except as otherwise provided in NRS 19.034, on  
44 the commencement of any civil action or proceeding in the district  
45 court for which a filing fee is required, and on the filing of any



1 answer or appearance in any such action or proceeding for which a  
2 filing fee is required, the county clerk shall charge and collect a fee  
3 of ~~[\$5]~~ \$10 from the party commencing, answering or appearing in  
4 the action or proceeding. These fees are in addition to any other fee  
5 required by law.

6 2. On or before the first Monday of each month, the county  
7 clerk shall pay over to the county treasurer the amount of all fees  
8 collected by him pursuant to subsection 1 for credit to an account  
9 for programs of arbitration in the county general fund. The money in  
10 the account must be used only to support programs for the  
11 arbitration of civil actions pursuant to NRS 38.250.

12 3. The provisions of this section apply only in judicial districts  
13 in which a program of arbitration has been established pursuant to  
14 NRS 38.250.

15 **Sec. 4.** This act becomes effective on July 1, 2003.

