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BILL NO. \_\_\_\_\_

SUMMARY – An ordinance to amend Title 2, Chapters 32.025, 32.20, and 34.010, to accord with recent legislation and existing Nevada law related to the fees chargeable by the county clerk for the issuance of marriage licenses and certificate of marriages and the fees chargeable by the commissioner of civil marriages for the solemnization of marriages; to amend the purposes for which the clerk’s technology fee may be used; and providing for other matters properly relating thereto.

ORDINANCE NO. \_\_\_\_\_  
(of Clark County, Nevada)

**AN ORDINANCE TO AMEND TITLE 2, CHAPTERS 32.025, 32.20, AND 34.010, TO ACCORD WITH RECENT LEGISLATION AND EXISTING NEVADA LAW RELATED TO THE FEES CHARGEABLE BY THE COUNTY CLERK FOR THE ISSUANCE OF MARRIAGE LICENSES AND CERTIFICATE OF MARRIAGES AND THE FEES CHARGEABLE BY THE COMMISSIONER OF CIVIL MARRIAGES FOR THE SOLEMNIZATION OF MARRIAGES; TO AMEND THE PURPOSES FOR WHICH THE CLERK’S TECHNOLOGY FEE MAY BE USED; AND PROVIDING FOR OTHER MATTERS PROPERLY RELATING THERETO.**

THE BOARD OF COUNTY COMMISSIONERS OF THE COUNTY OF CLARK, STATE OF NEVADA, DOES HEREBY ORDAIN AS FOLLOWS:

SECTION 1. Title 2, Chapter 32.025 of the Clark County Code is hereby amended to read as follows:

**2.32.025 – Account for technology in the office of the county clerk.**

- (a) There is hereby created in the county’s general fund an account to be designated as the “account for the acquisition and improvement of technology in the office of the county clerk.” The money in this account must be used only in the office of the county clerk, including, without limitation to:

- (1) acquire, improve, support or maintain technology;
- (2) train employees in the operation of the technology; and,
- (3) acquire temporary or permanent staff or professional services to implement, support or maintain technology that enhances customer service, improves efficiency or promotes transparency in government.

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~~[to acquire technology for or to improve the technology used in the office of the county clerk for the issuance of marriage licenses and the filing of certificates of marriage, including, without limitation, costs related to acquiring or improving technology for converting and archiving records, purchasing hardware and software, maintaining the technology, training employees in the operation of the technology and contracting for professional services relating to the technology.]~~

Money from fees deposited in the account must be accounted for separately in the county general fund. Any interest earned on money in the account, after deducting any applicable charges, must be credited to the account. Money that remains in the account at the end of a fiscal year does not revert to the county general fund, and the balance in the account must be carried forward to the next fiscal year.

(b) The county clerk shall submit an annual report to the board of county commissioners which contains:

- (1) An estimate of the proceeds that the county clerk will collect from the additional fee imposed pursuant to NRS 246.180(2) in the following fiscal year; and
- (2) A proposal for expenditures of the proceeds from the additional fee imposed pursuant to NRS 246.180(2) for the costs related to the technology required for the office of the county clerk for the following fiscal year.

SECTION 2. Title 2 , Chapter 32.20 of the Clark County Code is hereby amended

to read as follows:

**2.32.20 - Marriage license and certificates of marriage.**

- (a) The county clerk is charged with the duties set forth in Chapter 122 of the Nevada Revised Statutes related to the issuances of marriage licenses. Pursuant to NRS 246.100, the board of county commissioners authorizes the county clerk to receive for filing all marriage certificates that conform to the requirements of Chapters 122 and 246 of the Nevada Revised Statutes. The county clerk shall retain all such certificates in the manner required by Chapter 246 of the Nevada Revised Statutes.

~~[The county clerk shall charge and collect the following fees:~~

- ~~(1) For issuing a marriage license, twenty-one dollars.~~
- ~~(2) For issuing a marriage license, the additional sum of four dollars for the state of Nevada.~~
- ~~(3) For issuing a marriage license, the additional sum of twenty-five dollars for the account for aid for victims of domestic violence in the state general fund.~~

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- ~~(4) For issuing a marriage license, the additional sum of fourteen dollars for the account for the promotion of wedding tourism, a special revenue fund created in Section 2.32.026.~~
- ~~(5) For filing any certificate of marriage ten dollars, for deposit into the account created in Section 2.32.026, and as provided in NRS 246.180.~~
- ~~(6) For filing a certificate of marriage, the additional fee of three dollars for credit to the account created pursuant to Section 2.32.021 of this code, and as provided in NRS 246.180(2).~~
- ~~(7) For copying any certificate of marriage, one dollar per page.~~
- ~~(8) For a certified copy of a certificate of marriage, ten dollars.~~
- ~~(9) For a certified abstract of a certificate of marriage, ten dollars.~~
- ~~(10) For either a certified copy of a certificate of marriage or for a certified abstract of a certificate of marriage, the additional sum of five dollars for the account for aid for victims of domestic violence in the state general fund, for credit to that account.]~~

(b) In addition to the fees related to marriage licenses and marriage certificates which are authorized to be collected or required to be collected by Chapters 19, 122 and 246 of the Nevada Revised Statutes, the County Clerk shall also charge and collect the following:

- (1) the maximum fee authorized to be charged and collected pursuant to NRS 246.075(1) for the issuance of a marriage license, which fee shall be deposited into the account for the promotion of wedding tourism, a special revenue fund created pursuant to Section 2.32.026 of this code; and,
- (2) the maximum fee authorized to be charged and collected pursuant to NRS 246.180(2) for filing a certificate of marriage, which fee shall be deposited into the account created pursuant to Section 2.32.025 of this code for the acquisition and improvement of technology in the office of the county clerk.

~~(b)~~ (c) The county clerk shall account for and pay over to the county treasurer all [All marriage license] fees collected by the county clerk in accordance with the provisions set forth in the Nevada Revised Statutes. [shall be deposited with the county treasurer in the general fund before the fifth working day of each month.]

(d) The county clerk shall post a schedule of the fees authorized or required to be collected pursuant to the Nevada Revised Statutes or county ordinance in a conspicuous place at each office at which such fees are collected and on the internet website of the county clerk.

SECTION 3. Title 2, Chapter 34.010 of the Clark County Code is hereby amended

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to read as follows:

**2.34.010 - License fee—During regular business hours.**

For solemnizing a marriage, t~~[F]~~he commissioner of civil marriages or [his] the deputy commissioner of civil marriages shall charge and collect [a fee of forty-five dollars for solemnizing a marriage.] the highest fee authorized to be collected or required to be collected by Chapter 122 of the Nevada Revised Statutes. The commissioner of civil marriages or ~~[his]~~ the deputy commissioner of civil marriages shall also at the time of solemnizing a marriage collect the ~~[additional sum]~~ maximum fee authorized to be collected or required to be collected [five dollars] for the Account for Aid for Victims of Domestic or Sexual Violence in the State General Fund, as authorized by NRS 122.181. ~~[account for aid for victims of domestic violence in the state general fund.]~~ The county clerk shall account for and pay over to the county treasurer all [The] fees collected [for this purpose] by the commissioner of civil marriages or the deputy commissioner of civil marriages in accordance with the provisions set forth in the Nevada Revised Statutes. [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 credited to that account. The county treasurer shall, on before the fifteenth day of each month, remit those fees deposited by the clerk to the state treasurer for credit to that account.]

SECTION 4. If any section of this ordinance or portion thereof is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such holding shall not invalidate the remaining parts of this ordinance.

SECTION 5. All ordinances, parts of ordinances, chapters, sections, subsections, clauses, phrases or sentences contained in the Clark County Code in conflict herewith are hereby repealed.

SECTION 6. This ordinance shall take effect and be in force from and after its passage and the publication thereof by title only, together with the names of the County Commissioners voting for or against its passage, in a newspaper published in and having a general circulation in Clark County, Nevada, at least once a week for a period of two (2) weeks.

PROPOSED on the \_\_\_\_ day of \_\_\_\_\_, 2021.

PROPOSED BY: \_\_\_\_\_

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PASSED on the \_\_\_\_ day of \_\_\_\_\_, 2021.

AYES: \_\_\_\_\_  
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NAYS: \_\_\_\_\_  
\_\_\_\_\_

ABSTAINING: \_\_\_\_\_

ABSENT: \_\_\_\_\_

BOARD OF COUNTY COMMISSIONERS  
CLARK COUNTY, NEVADA

By: \_\_\_\_\_  
MARILYN KIRKPATRICK, Chair

ATTEST:

\_\_\_\_\_  
LYNN MARIE GOYA, County Clerk

This ordinance shall be in force and effect from and after the \_\_\_\_ day of \_\_\_\_\_, 2021.