SUMMARY – An Ordinance to amend Title 2, Chapter 2.32 of the Clark County Code to allow the County Clerk to accept for filing certificates of marriages and take custody of certificates of marriage recorded by the County Recorder, setting forth fees of the Clerk relating to certificates of marriage, and creating an account in the County general fund for acquiring technology in the office of the County Clerk relating to the provision and storage of marriage licenses.

ORDINANCE NO. ________________________________

(of Clark County, Nevada)

AN ORDINANCE TO AMEND CHAPTER 2.32 OF THE CLARK COUNTY CODE TO ALLOW THE COUNTY CLERK TO ACCEPT FOR FILING CERTIFICATES OF MARRIAGES AND TAKE CUSTODY OF CERTIFICATES OF MARRIAGE RECORDED BY THE COUNTY RECORDER, SETTING FORTH FEES OF THE CLERK RELATING TO CERTIFICATES OF MARRIAGE, AND CREATING AN ACCOUNT IN THE COUNTY GENERAL FUND FOR ACQUIRING TECHNOLOGY IN THE OFFICE OF THE COUNTY CLERK RELATING TO THE PROVISION AND STORAGE OF MARRIAGE LICENSES; 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 ONE. Title 2, Chapter 2.32, Section 2.32.020 of the Clark County Code shall be amended to provide as follows:

2.32.020 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, $21.

(2) for issuing a marriage license, the additional sum of $4 for the State of Nevada.

(3) for issuing a marriage license, the additional sum of $25 for the Account for Aid for Victims of Domestic Violence in the State General Fund.

(4) for filing any certificate of marriage $10, for deposit into the account created by Section Two of this ordinance, and as provided in NRS 246.180.

(5) for filing a certificate of marriage, the additional fee of $3 for credit to the account created pursuant to Section Two of this ordinance, and as provided in NRS 246.180(2).

(6) for copying any certificate of marriage, $1 per page.

(7) for a certified copy of a certificate of marriage, $10.

(8) for a certified abstract of a certificate of marriage, $10.

(9) for either a certified copy of a certificate of marriage or for a certified abstract of a certificate of marriage, the additional sum of $5 for the Account for Aid for Victims of Domestic Violence in the State General Fund, for credit to that account.

(b) All marriage license fees collected by the county clerk shall be deposited with the county treasurer in the general fund before the fifth working day of each month.

SECTION TWO. There is hereby enacted a new section of the Clark County Code entitled 2.32.21 which reads as follows:
2.32.021 Custody and Responsibility for Certificates.  (a) The county clerk shall take custody of and is responsible for all certificates of marriage filed with his or her office.

(b) The county clerk shall take custody of and is responsible for all certificates of marriage previously recorded by the county recorder in accordance with NRS Chapter 247. Upon such transfer of custody and responsibility to the county clerk, these certificates of marriage shall be deemed on file in the office of the county clerk.

SECTION THREE. There is hereby enacted a new section of the Clark County Code entitled 2.32.25 which reads 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 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 FOUR. 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 FIVE. 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 SIX. This ordinance shall take effect and be in force on July 1, 2015, unless the clerk notifies the Board of County Commissioners by an item placed on a regular agenda of the Board of County Commissioners that her office is able to institute the changes authorized in Sections One and Two prior to the July 1, 2015 date. After the passage of this ordinance, this ordinance shall be published 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 __________________________, 2014.

PROPOSED BY: Commissioner ___________________________, 2014

AYES: ______________________________________________

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NAYS:_______________________________________________

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ABSTAINING:______________________________________________

ABSENT: _______________________________________________

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BOARD OF COUNTY COMMISSIONERS
CLARK COUNTY, NEVADA

BY:__________________________________

STEVE SISOLAK, Chairman

ATTEST:

DIANA ALBA, County Clerk

This ordinance shall be in force and effect from and after

the _____ day of __________________________ 2014