

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1991

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SENATE BILL 935

Short Title: Increase Marriage License Fees.

(Public)

Sponsors: Senators Plexico and Basnight.

Referred to: Finance.

May 13, 1991

A BILL TO BE ENTITLED

AN ACT TO INCREASE THE MARRIAGE LICENSE FEE AND TO CREATE THE DOMESTIC VIOLENCE CENTER FUND.

The General Assembly of North Carolina enacts:

Section 1. G.S. 161-10(a) reads as rewritten:

"(a) Except as provided in G.S. 130-40 or G.S. 161-11.1, all fees collected under this section shall be deposited into the county general fund. In the performance of his duties, the register of deeds shall collect the following fees which shall be uniform throughout the State:

(1) Instruments in General. – For registering or filing any instrument for which no other provision is made by this section, whether written, printed, or typewritten, the fee shall be five dollars (\$5.00) for the first page, which page shall not exceed 8 1/2 inches by 14 inches, plus two dollars (\$2.00), for each additional page or fraction thereof. A page exceeding 8 1/2 inches by 14 inches shall be considered two pages.

When a document is presented for registration that consists of multiple instruments, the fee shall be ten dollars (\$10.00) for each additional instrument. A document consists of multiple instruments when it contains two or more instruments with different legal consequences or intent, each of which is separately executed and acknowledged and could be recorded alone.

(2) Marriage Licenses. – For issuing a license ~~twenty-four~~ dollars ~~(\$20.00);~~ ~~(\$40.00);~~ for issuing a delayed certificate with one certified copy – five dollars (\$5.00); and for a proceeding for

- 1 correction of names in application, license or certificate, with one
2 certified copy – five dollars (\$5.00).
- 3 (3) Plats. – For each original or revised plat recorded – nineteen dollars
4 (\$19.00); for furnishing a certified copy of a plat – three dollars
5 (\$3.00).
- 6 (4) Right-of-Way Plans. – For each original or amended plan and profile
7 sheet recorded – five dollars (\$5.00). This fee is to be collected from
8 the Board of Transportation.
- 9 (5) Registration of Birth Certificate One Year or More after Birth. – For
10 preparation of necessary papers when birth to be registered in another
11 county – five dollars (\$5.00); for registration when necessary papers
12 prepared in another county, with one certified copy – five dollars
13 (\$5.00); for preparation of necessary papers and registration in the
14 same county, with one certified copy – ten dollars (\$10.00).
- 15 (6) Amendment of Birth or Death Record. – For preparation of
16 amendment and affecting correction – two dollars (\$2.00).
- 17 (7) Legitimations. – For preparation of all documents concerned with
18 legitimations – seven dollars (\$7.00).
- 19 (8) Certified Copies of Birth and Death Certificates and Marriage
20 Licenses. – For furnishing a certified copy of a death or birth
21 certificate or marriage license – three dollars (\$3.00). Provided
22 however, a Register of Deeds may issue without charge a certified
23 Birth Certificate to any person over the age of 62 years.
- 24 (9) Certified Copies. – For furnishing a certified copy of an instrument for
25 which no other provision is made by this section – three dollars (\$3.00)
26 for the first page, plus one dollar (\$1.00) for each additional page or
27 fraction thereof.
- 28 (10) Comparing Copy for Certification. – For comparing and certifying a
29 copy of any instrument filed for registration, when the copy is
30 furnished by the party filing the instrument for registration and at the
31 time of filing thereof – two dollars (\$2.00).
- 32 (11) Uncertified Copies. – When, as a convenience to the public, the
33 register of deeds supplies uncertified copies of instruments, or index
34 pages, he may charge fees that in his discretion bear a reasonable
35 relation to the quality of copies supplied and the cost of purchasing
36 and maintaining copying and/or computer equipment. These fees may
37 be changed from time to time, but the amount of these fees shall at all
38 times be prominently posted in his office.
- 39 (12) Acknowledgment. – For taking an acknowledgment, oath, or
40 affirmation or for the performance of any notarial act – one dollar
41 (\$1.00). This fee shall not be charged if the act is performed as a part
42 of one of the services for which a fee is provided by this subsection;
43 except that this fee shall be charged in addition to the fees for

1 registering, filing or recording instruments or plats as provided by
2 subdivisions (1) and (3) of this subsection.

3 (13) Uniform Commercial Code. – Such fees as are provided for in Chapter
4 25, Article 9, Part 4, of the General Statutes.

5 (14) Torrens Registration. – Such fees as are provided in G.S. 43-5.

6 (15) Master Forms. – Such fees as are provided for instruments in general.

7 (16) Probate. – For certification of instruments for registration as provided
8 in G.S. 47-14 – one dollar (\$1.00).

9 (17) Qualification of Notary Public. – For administering the oaths of office
10 to a notary public and making the appropriate record entries as
11 provided in G.S. 10-2 – five dollars (\$5.00).

12 (18) Reinstatement of Articles of Incorporation. – For filing reinstatements
13 of Articles of Incorporation prepared pursuant to G.S. 105-232; such
14 fees as provided for instruments in general. The fee shall be paid by
15 the corporation affected."

16 Sec. 2. Article 1 of Chapter 161 is amended by adding a new section to read:

17 **"§ 161-11.2. Fees for domestic violence centers.**

18 Twenty dollars (\$20.00) of each fee collected by a register of deeds on or after July
19 1, 1991, for issuance of a marriage license pursuant to G.S. 161-10(a)(2) shall be
20 forwarded, as soon as practical but no later than 60 days after collection by the register
21 of deeds to the county finance officer, who shall forward the funds to the State
22 Treasurer for deposit in the Domestic Violence Center Fund."

23 Sec. 3. Chapter 50B of the General Statutes is amended by adding a new
24 section to read:

25 **"§ 50B-9. Domestic Violence Center Fund.**

26 There is established a fund to be known as the 'Domestic Violence Center Fund,' in
27 the State Treasurer's office, which shall be funded pursuant to G.S. 161-11.2. The fund
28 shall be administered by the Department of Administration, Council on the Status of
29 Women, and shall be used to fund centers for victims of domestic violence. The funds
30 shall be allocated quarterly each fiscal year on an equal basis among the domestic
31 violence centers in operation on July 1 of that fiscal year. To be eligible to receive
32 funds under this section, a domestic violence center must offer the following services: a
33 hotline, community education programs, daytime services, and call forwarding during
34 the night.

35 The Department of Administration shall adopt rules for the allocation and
36 administration of this fund."

37 Sec. 4. This act becomes effective July 1, 1991.