

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1991

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SENATE BILL 935
Finance Committee Substitute Adopted 6/28/91
Third Edition Engrossed 7/1/91

Short Title: Increase Marriage License Fees.

(Public)

Sponsors:

Referred to:

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.

- 1 (2) Marriage Licenses. – For issuing a license —~~twenty~~ forty
2 dollars ~~(\$20.00);~~ (\$40.00); for issuing a delayed certificate with one
3 certified copy – five dollars (\$5.00); and for a proceeding for
4 correction of names in application, license or certificate, with one
5 certified copy – five dollars (\$5.00).
- 6 (3) Plats. – For each original or revised plat recorded – nineteen dollars
7 (\$19.00); for furnishing a certified copy of a plat – three dollars
8 (\$3.00).
- 9 (4) Right-of-Way Plans. – For each original or amended plan and profile
10 sheet recorded – five dollars (\$5.00). This fee is to be collected from
11 the Board of Transportation.
- 12 (5) Registration of Birth Certificate One Year or More after Birth. – For
13 preparation of necessary papers when birth to be registered in another
14 county – five dollars (\$5.00); for registration when necessary papers
15 prepared in another county, with one certified copy – five dollars
16 (\$5.00); for preparation of necessary papers and registration in the
17 same county, with one certified copy – ten dollars (\$10.00).
- 18 (6) Amendment of Birth or Death Record. – For preparation of
19 amendment and affecting correction – two dollars (\$2.00).
- 20 (7) Legitimations. – For preparation of all documents concerned with
21 legitimations – seven dollars (\$7.00).
- 22 (8) Certified Copies of Birth and Death Certificates and Marriage
23 Licenses. – For furnishing a certified copy of a death or birth
24 certificate or marriage license – three dollars (\$3.00). Provided
25 however, a Register of Deeds may issue without charge a certified
26 Birth Certificate to any person over the age of 62 years.
- 27 (9) Certified Copies. – For furnishing a certified copy of an instrument for
28 which no other provision is made by this section – three dollars (\$3.00)
29 for the first page, plus one dollar (\$1.00) for each additional page or
30 fraction thereof.
- 31 (10) Comparing Copy for Certification. – For comparing and certifying a
32 copy of any instrument filed for registration, when the copy is
33 furnished by the party filing the instrument for registration and at the
34 time of filing thereof – two dollars (\$2.00).
- 35 (11) Uncertified Copies. – When, as a convenience to the public, the
36 register of deeds supplies uncertified copies of instruments, or index
37 pages, he may charge fees that in his discretion bear a reasonable
38 relation to the quality of copies supplied and the cost of purchasing
39 and maintaining copying and/or computer equipment. These fees may
40 be changed from time to time, but the amount of these fees shall at all
41 times be prominently posted in his office.
- 42 (12) Acknowledgment. – For taking an acknowledgment, oath, or
43 affirmation or for the performance of any notarial act – one dollar
44 (\$1.00). This fee shall not be charged if the act is performed as a part

1 of one of the services for which a fee is provided by this subsection;
2 except that this fee shall be charged in addition to the fees for
3 registering, filing or recording instruments or plats as provided by
4 subdivisions (1) and (3) of this subsection.

- 5 (13) Uniform Commercial Code. – Such fees as are provided for in Chapter
6 25, Article 9, Part 4, of the General Statutes.
7 (14) Torrens Registration. – Such fees as are provided in G.S. 43-5.
8 (15) Master Forms. – Such fees as are provided for instruments in general.
9 (16) Probate. – For certification of instruments for registration as provided
10 in G.S. 47-14 – one dollar (\$1.00).
11 (17) Qualification of Notary Public. – For administering the oaths of office
12 to a notary public and making the appropriate record entries as
13 provided in G.S. 10-2 – five dollars (\$5.00).
14 (18) Reinstatement of Articles of Incorporation. – For filing reinstatements
15 of Articles of Incorporation prepared pursuant to G.S. 105-232; such
16 fees as provided for instruments in general. The fee shall be paid by
17 the corporation affected."

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

19 **"§ 161-11.2. Fees for domestic violence centers.**

20 Twenty dollars (\$20.00) of each fee collected by a register of deeds for issuance of a
21 marriage license pursuant to G.S. 161-10(a)(2) shall be forwarded by the register of
22 deeds to the county finance officer, who shall forward the funds to the Department of
23 Administration to be credited to the Domestic Violence Center Fund established under
24 G.S. 50B-9. The register of deeds shall forward the fees to the county finance officer as
25 soon as practical. The county finance officer shall forward the fees to the Department
26 of Administration within 60 days after receiving the fees. The Register of Deeds shall
27 inform the applicants that \$20 of the fee shall be used for Domestic Violence
28 programs."

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

31 **"§ 50B-9. Domestic Violence Center Fund.**

32 The Domestic Violence Center Fund is established within the State Treasury. The
33 fund shall be administered by the Department of Administration, North Carolina
34 Council for Women, and shall be used to make grants to centers for victims of domestic
35 violence and to the North Carolina Coalition Against Domestic Violence. The
36 Department of Administration shall make quarterly grants to each eligible domestic
37 violence center and to the North Carolina Coalition Against Domestic Violence. Each
38 grant recipient shall receive the same amount. To be eligible to receive funds under this
39 section, a domestic violence center must meet the following requirements:

- 40 (1) It must have been in operation on the preceding July 1 and must
41 continue to be in operation.
42 (2) It must offer all of the following services: a hotline, community
43 education programs, daytime services, and call forwarding during the
44 night."

1 Sec. 4. This act becomes effective August 1, 1991, and applies to marriage
2 licenses issued on or after that date.