

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1991

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SENATE BILL 935  
Finance Committee Substitute Adopted 6/28/91

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.

(2) Marriage Licenses. – For issuing a license ~~twenty-fourty~~ dollars ~~(\$20.00);~~ (\$40.00); for issuing a delayed certificate with one

- 1 certified copy – five dollars (\$5.00); and for a proceeding for  
2 correction of names in application, license or certificate, with one  
3 certified copy – five dollars (\$5.00).
- 4 (3) Plats. – For each original or revised plat recorded – nineteen dollars  
5 (\$19.00); for furnishing a certified copy of a plat – three dollars  
6 (\$3.00).
- 7 (4) Right-of-Way Plans. – For each original or amended plan and profile  
8 sheet recorded – five dollars (\$5.00). This fee is to be collected from  
9 the Board of Transportation.
- 10 (5) Registration of Birth Certificate One Year or More after Birth. – For  
11 preparation of necessary papers when birth to be registered in another  
12 county – five dollars (\$5.00); for registration when necessary papers  
13 prepared in another county, with one certified copy – five dollars  
14 (\$5.00); for preparation of necessary papers and registration in the  
15 same county, with one certified copy – ten dollars (\$10.00).
- 16 (6) Amendment of Birth or Death Record. – For preparation of  
17 amendment and affecting correction – two dollars (\$2.00).
- 18 (7) Legitimations. – For preparation of all documents concerned with  
19 legitimations – seven dollars (\$7.00).
- 20 (8) Certified Copies of Birth and Death Certificates and Marriage  
21 Licenses. – For furnishing a certified copy of a death or birth  
22 certificate or marriage license – three dollars (\$3.00). Provided  
23 however, a Register of Deeds may issue without charge a certified  
24 Birth Certificate to any person over the age of 62 years.
- 25 (9) Certified Copies. – For furnishing a certified copy of an instrument for  
26 which no other provision is made by this section – three dollars (\$3.00)  
27 for the first page, plus one dollar (\$1.00) for each additional page or  
28 fraction thereof.
- 29 (10) Comparing Copy for Certification. – For comparing and certifying a  
30 copy of any instrument filed for registration, when the copy is  
31 furnished by the party filing the instrument for registration and at the  
32 time of filing thereof – two dollars (\$2.00).
- 33 (11) Uncertified Copies. – When, as a convenience to the public, the  
34 register of deeds supplies uncertified copies of instruments, or index  
35 pages, he may charge fees that in his discretion bear a reasonable  
36 relation to the quality of copies supplied and the cost of purchasing  
37 and maintaining copying and/or computer equipment. These fees may  
38 be changed from time to time, but the amount of these fees shall at all  
39 times be prominently posted in his office.
- 40 (12) Acknowledgment. – For taking an acknowledgment, oath, or  
41 affirmation or for the performance of any notarial act – one dollar  
42 (\$1.00). This fee shall not be charged if the act is performed as a part  
43 of one of the services for which a fee is provided by this subsection;  
44 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 for issuance of a  
19 marriage license pursuant to G.S. 161-10(a)(2) shall be forwarded by the register of  
20 deeds to the county finance officer, who shall forward the funds to the Department of  
21 Administration to be credited to the Domestic Violence Center Fund established under  
22 G.S. 50B-9. The register of deeds shall forward the fees to the county finance officer as  
23 soon as practical. The county finance officer shall forward the fees to the Department  
24 of Administration within 60 days after receiving the fees."

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

27 **"§ 50B-9. Domestic Violence Center Fund.**

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

36 (1) It must have been in operation on the preceding July 1 and must  
37 continue to be in operation.

38 (2) It must offer all of the following services: a hotline, community  
39 education programs, daytime services, and call forwarding during the  
40 night."

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