

**Fifty-fifth Legislative Assembly, State of North Dakota, begun in the
Capitol in the City of Bismarck, on Monday, the sixth day of January,
one thousand nine hundred and ninety-seven**

HOUSE BILL NO. 1420
(Representatives Soukup, Tollefson, Carlson)
(Senators Kinnoin, Nalewaja, Watne)

AN ACT to amend and reenact subsection 1 of section 11-17-04 and section 14-03-22 of the North Dakota Century Code, relating to the fee for filing, depositing, or registering certain documents with the clerk of court and for performing marriage ceremonies.

BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:

SECTION 1. AMENDMENT. Subsection 1 of section 11-17-04 of the North Dakota Century Code is amended and reenacted as follows:

1. The clerk of the district court shall charge and collect the following fees in civil cases:
 - a. For filing a case for decision that is not a small claims action, eighty dollars.
 - (1) Ten dollars of this fee must be paid by the clerk of court to the state treasurer for deposit in the civil legal services fund.
 - (2) For the filing of a petition for dissolution of marriage, annulment, or separation from bed and board, fifty dollars of this fee must be paid by the clerk of court to the state treasurer for deposit in the displaced homemaker account created by section 14-06.1-14.
 - (3) For all other filings, fourteen dollars of this fee must be paid by the clerk of court to the state treasurer for deposit in the state general fund.
 - b. For filing an answer to a case that is not a small claims action, fifty dollars.
 - c. For filing a small claims action in district court, ten dollars.
 - d. For filing any matter authorized to be filed in the office of the clerk of court other than under subdivision a, b, or c, ~~five~~ ten dollars.
 - e. For preparing, certifying, issuing, or transmitting any document, ~~five~~ ten dollars; or ~~such a lesser fee as may be set by a schedule to be promulgated~~ by the state court administrator.
 - f. For filing a motion to modify an order for alimony, property division, child support, or child custody, thirty dollars. The clerk shall deposit this fee with the state treasurer for deposit in the general fund of the state treasury.
 - g. For filing an answer to a motion to modify an order for alimony, property division, child support, or child custody, thirty dollars.

SECTION 2. AMENDMENT. Section 14-03-22 of the 1995 Supplement to the North Dakota Century Code is amended and reenacted as follows:

14-03-22. Marriage license fee - Supplemental fee - Fee for marriage ceremony - Duties of officers. For the issuance and filing of a marriage license, the clerk of district court shall collect the sum of six dollars from the party applying for the license. The clerk shall also collect from the applicant a supplemental fee of twenty-nine dollars for aid to victims of domestic violence through the domestic violence prevention fund in accordance with chapter 14-07.1. The clerk shall deposit the For performing a marriage ceremony during regular courthouse hours, the clerk shall collect a fee of thirty

dollars which is to be retained by the county. If the marriage ceremony is performed by the clerk at a time other than during regular courthouse hours, the clerk may collect and retain a fee in an amount to be determined by the clerk. Except as provided in this section, all collected ~~sums~~ fees must be deposited monthly with the county treasurer. The county treasurer shall forward the amount represented by supplemental fees to the state treasurer by the fifteenth of each month for crediting to the domestic violence prevention fund. The clerk shall prepare a copy of the license and certificate and transmit them to the registrar of vital statistics who shall record them in a book of records kept in the registrar's office for that purpose. The registrar shall index the records and upon request shall issue certified copies of the recorded license and certificate for a one dollar fee. The registrar shall keep an accurate account of these fees and shall turn them over to the state treasurer by the fifteenth of each month for crediting to the general fund.

Speaker of the House

President of the Senate

Chief Clerk of the House

Secretary of the Senate

This certifies that the within bill originated in the House of Representatives of the Fifty-fifth Legislative Assembly of North Dakota and is known on the records of that body as House Bill No. 1420.

House Vote: Yeas 86 Nays 9 Absent 2

Senate Vote: Yeas 28 Nays 21 Absent 0

Chief Clerk of the House

Received by the Governor at _____ M. on _____, 1997.

Approved at _____ M. on _____, 1997.

Governor

Filed in this office this _____ day of _____, 1997,

at _____ o'clock _____ M.

Secretary of State