

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1997

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HOUSE BILL 235*

Short Title: Birth/Death Certificate Fee Upped.

(Public)

Sponsors: Representatives Easterling, Alexander, Gulley, Saunders, Cunningham, McMahan, Black; and Adams.

Referred to: Human Resources, if favorable, Finance.

February 17, 1997

A BILL TO BE ENTITLED

AN ACT TO INCREASE THE UNIFORM FEE FOR A CERTIFIED BIRTH, DEATH,
OR MARRIAGE CERTIFICATE.

The General Assembly of North Carolina enacts:

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

"(a) Except as provided in G.S. 161-11.1 or 161-11.2, 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 six dollars (\$6.00) 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

1 consequences or intent, each of which is separately executed and
2 acknowledged and could be recorded alone.

- 3 (1a) Deeds of Trust, Mortgages, and Cancellation of Deeds of Trust and
4 Mortgages. – For registering or filing any deed of trust or mortgage,
5 whether written, printed, or typewritten, the fee shall be ten dollars
6 (\$10.00) for the first page, which page shall not exceed 8 1/2 inches by
7 14 inches, plus two dollars (\$2.00) for each additional page or fraction
8 thereof. A page exceeding 8 1/2 inches by 14 inches shall be considered
9 two pages.

10 When a deed of trust or mortgage is presented for registration that
11 contains one or more additional instruments, the fee shall be ten dollars
12 (\$10.00) for each additional instrument. A deed of trust or mortgage
13 contains one or more additional instruments if such additional
14 instrument or instruments has or have different legal consequences or
15 intent, each of which is separately executed and acknowledged and
16 could be recorded alone.

17 For recording records of satisfaction, or the cancellation of record by
18 any other means, of deeds of trust or mortgages, there shall be no fee.

- 19 (2) Marriage Licenses. – For issuing a license forty dollars (\$40.00); for
20 issuing a delayed certificate with one certified copy five dollars (\$5.00);
21 and for a proceeding for correction of names in application, license or
22 certificate, with one certified copy five dollars (\$5.00).
- 23 (3) Plats. – For each original or revised plat recorded nineteen dollars
24 (\$19.00); for furnishing a certified copy of a plat three dollars (\$3.00).
- 25 (4) Right-of-Way Plans. – For each original or amended plan and profile
26 sheet recorded five dollars (\$5.00). This fee is to be collected from the
27 Board of Transportation.
- 28 (5) Registration of Birth Certificate One Year or More after Birth. – For
29 preparation of necessary papers when birth to be registered in another
30 county five dollars (\$5.00); for registration when necessary papers
31 prepared in another county, with one certified copy five dollars (\$5.00);
32 for preparation of necessary papers and registration in the same county,
33 with one certified copy ten dollars (\$10.00).
- 34 (6) Amendment of Birth or Death Record. – For preparation of amendment
35 and affecting correction two dollars (\$2.00).
- 36 (7) Legitimations. – For preparation of all documents concerned with
37 legitimations seven dollars (\$7.00).
- 38 (8) Certified Copies of Birth and Death Certificates and Marriage Licenses.
39 – For furnishing a certified copy of a death or birth certificate or
40 marriage license ~~three dollars (\$3.00)~~ five dollars (\$5.00). Provided
41 however, a Register of Deeds may issue without charge a certified Birth
42 Certificate to any person over the age of 62 years.

- 1 (9) Certified Copies. – For furnishing a certified copy of an instrument for
2 which no other provision is made by this section three dollars (\$3.00)
3 for the first page, plus one dollar (\$1.00) for each additional page or
4 fraction thereof.
- 5 (10) Comparing Copy for Certification. – For comparing and certifying a
6 copy of any instrument filed for registration, when the copy is furnished
7 by the party filing the instrument for registration and at the time of filing
8 thereof two dollars (\$2.00).
- 9 (11) Uncertified Copies. – When, as a convenience to the public, the register
10 of deeds supplies uncertified copies of instruments, or index pages, he
11 may charge fees that in his discretion bear a reasonable relation to the
12 quality of copies supplied and the cost of purchasing and maintaining
13 copying and/or computer equipment. These fees may be changed from
14 time to time, but the amount of these fees shall at all times be
15 prominently posted in his office.
- 16 (12) Notarial Acts. – For taking an acknowledgment, oath, or affirmation or
17 performing any other notarial act the maximum fee set in G.S. 10A-10.
18 This fee shall not be charged if the act is performed as a part of one of
19 the services for which a fee is provided by this subsection; except that
20 this fee shall be charged in addition to the fees for registering, filing, or
21 recording instruments or plats as provided by subdivisions (1) and (3) of
22 this subsection.
- 23 (13) Uniform Commercial Code. – Such fees as are provided for in Chapter
24 25, Article 9, Part 4, of the General Statutes.
- 25 (14) Torrens Registration. – Such fees as are provided in G.S. 43-5.
- 26 (15) Master Forms. – Such fees as are provided for instruments in general.
- 27 (16) Probate. – For certification of instruments for registration as provided in
28 G.S. 47-14 two dollars (\$2.00).
- 29 (17) Qualification of Notary Public. – For administering the oaths of office
30 to a notary public and making the appropriate record entries as provided
31 in G.S. 10A-8 five dollars (\$5.00).
- 32 (18) Reinstatement of Articles of Incorporation. – For filing reinstatements
33 of Articles of Incorporation prepared pursuant to G.S. 105-232; such
34 fees as provided for instruments in general. The fee shall be paid by the
35 corporation affected."

36 Section 2. This act becomes effective July 1, 1997.