

BILL NO. 2010-07

NYE COUNTY ORDINANCE NO. ____

SUMMARY: A Bill proposing to amend Nye County Code Title 3, Revenue & Finance, by adding Chapter 3.48 Fees on Court Actions to Support Programs for Court Security; and other matters properly related thereto.

TITLE: A BILL PROPOSING TO AMEND NYE COUNTY CODE TITLE 3 REVENUE & FINANCE, BY ADDING CHAPTER 3.48 FEES ON COURT ACTIONS TO SUPPORT PROGRAMS FOR COURT SECURITY, ADDING SECTION 3.48.010 FEES IN DISTRICT COURT, WHICH REQUIRES A TWENTY DOLLAR FEE TO BE PAID WHEN COMMENCING AN ACTION IN DISTRICT COURT OR ANSWERING AN ACTION THAT HAS BEEN COMMENCED, AND ADDING SECTION 3.48.020 COLLECTION - PAYMENT TO TREASURER, WHICH DELINEATES HOW THE FEE IS COLLECTED AND HOW IT CAN BE USED; AND OTHER MATTERS PROPERLY RELATED THERETO.

WHEREAS, the People of the State of Nevada, represented in Senate and Assembly, have enacted Assembly Bill No. 65, "An Act relating to courts; providing for the collection and disposition of additional courts fees; and providing other matters properly thereto related," which was enrolled June 1, 2009, and approved by the Governor on June 3, 2009, with an effective date of July 1, 2009; and

WHEREAS, this Act authorizes a board of county commissioners to impose by ordinance a filing fee of not more than \$20 to be paid on the commencement of any civil action or proceeding in the district court and provides that the fee may be used for programs for court security; and

NOW, THEREFORE, the Board of County Commissioners of the County of Nye, State of Nevada, does hereby ordain as follows:

NYE COUNTY CODE TITLE 3 IS HEREBY AMENDED BY ADDING CHAPTER 3.48 AS FOLLOWS:

3.48 FEES ON COURT ACTIONS TO SUPPORT PROGRAMS FOR COURT SECURITY

3.48.010 Fees in District Court

Pursuant to the 75th Regular Session of the Nevada Legislature Assembly Bill No. 65 Section 3 – Committee on Judiciary, An Act Relating to Courts; Providing for the Collection and Disposition of Additional Court Fees, there is imposed, in addition to any other fee required by law, a filing fee of twenty dollars (\$20.00) to

be paid on the commencement of any civil action or proceeding in the Fifth Judicial District Court for which a filing fee is required and on the filing of any answer or appearance in any such action or proceeding for which a filing fee is required, except as otherwise required pursuant to Nevada Revised Statute (NRS) 19.034 Reduced Fees for Adoption of Child with Special Needs.

3.48.020 Collection - Payment to Treasurer

1. On or before the fifth (5th) day of each month, the Nye County Clerk of the Court shall account for and pay over to the Nye County Treasurer any such fees collected by her during the preceding month for credit to an account for programs for court security in the Nye County General Fund. The money in that account must be administered by Nye County and:
 - a. May be used only for programs for court security;
 - b. Must not be used to supplant existing budgets for bailiffs or deputy marshals who are assigned to work in a courtroom; and
 - c. If any balance remains, may be carried forward to the next fiscal year.
2. As used in this section, "programs for court security" includes, without limitation:
 - a. Funding for additional positions for bailiffs, marshals, security guards and similar personnel;
 - b. Supplementing existing funding used to pay bailiffs, marshals, security guards and similar personnel;
 - c. Acquiring necessary capital goods for court security;
 - d. Providing security training and education to personnel;
 - e. Conducting security audits; and
 - f. Acquiring or using appropriate technology relating to court security.

3.48.030 Effective Date

This Ordinance shall be in full force and effect from and after passage, approval, and publication as required by law, to wit, from and after the ____ day of _____, 2010

Proposed on the ____ day of _____, 2010.

Proposed by Commissioner _____.

Adopted on the _____ day of _____, 2010.

Vote: Ayes: Commissioners:

Nays: Commissioners:

Absent: Commissioners:

BY: _____

Gary Hollis, Chairman
Nye County Board of
County Commissioners

ATTEST: _____

Sandra "Sam" Merlino
Clerk and Ex-Officio
Clerk of the Board