



COUNTY OF LOS ANGELES

REGISTRAR-RECORDER/COUNTY CLERK

12400 IMPERIAL HWY. – P.O. BOX 1024, NORWALK, CALIFORNIA 90651-1024

CONNOR B. McCORMACK

REGISTRAR-RECORDER/COUNTY CLERK

August 23, 2005

The Honorable Board of Supervisors
County of Los Angeles
383 Kenneth Hahn Hall of Administration
500 West Temple Street
Los Angeles, CA 90012

Dear Supervisors:

**REVISION OF REGISTRAR-RECORDER/COUNTY CLERK (RR/CC)
MARRIAGE LICENSE DUPLICATES
(ALL DISTRICTS) (3 VOTES)**

IT IS RECOMMENDED THAT YOUR BOARD, AFTER THE PUBLIC HEARING:

Approve the attached ordinance revising a RR/CC fee related to marriage licenses, to become effective thirty days from the date of board passage, in accordance with Government Code section 25123.

PURPOSE OF RECOMMENDED ACTION:

The Department of Registrar-Recorder/County Clerk (RR/CC) provides a variety of services related to elections, recorder and county clerk operations. The purpose of this action is to ensure that the Department receives full cost recovery for administering services as permitted by applicable law. The proposed amendment to marriage license duplicates (regular and confidential) has been reviewed and approved by the Department of Auditor-Controller. The proposed increase requires an ordinance change that has been prepared by County Counsel.

The study to determine the appropriate fee consisted of research, interviews and work observations of marriage license related functions performed by the Department and included all applicable costs such as salaries and employee benefits, supplies, equipment and overhead. Based on the findings of the study, it was determined that in order to achieve cost recovery it was necessary to increase the fee. Government Code section 54985 authorizes a county board of supervisors to set a fee in the amount necessary to recover the cost of providing any product or service.

Implementation of Strategic Plan Goals:

Goal No. 1: Service Excellence: Provide the public with effective delivery of services within the County by implementing strategies related to fiscal responsibility and service integration by consolidating services and adjusting fees to ensure that the Department receives full cost recovery.

Goal No. 4: Fiscal Responsibility: Ensure the County's fiscal responsibility by effectively managing and enhancing current fiscal strategies as well as pursuing existing revenue options.

JUSTIFICATION:

Government Code section 54985 authorizes a county board of supervisors to set a fee in the amount reasonably necessary to recover the cost of providing any product or service. The fee described below no longer reflects the Department's actual cost and therefore should be revised to include current costs for employee salaries and benefits, supplies and equipment usage.

County Code 2.32.100 Regular & Confidential Marriage License Duplicates

If a certificate of registry of marriage is lost or destroyed after the marriage ceremony but before it is returned to the county recorder, the person solemnizing the marriage shall obtain a duplicate certificate of registry by filing an affidavit setting forth the facts with the county clerk of the county in which the license was issued. The duplicate certificate of registry may not be issued later than one year after issuance of the original license and shall be returned by the person solemnizing the marriage to the county recorder within 10 days after issuance. The current fee for issuing the duplicate marriage license and certificate of registry is twelve dollars (\$12).

Marriage license duplicates, which require significant processing such as typing forms, mailing, filing and follow-up were reconsidered and a determination made that the existing fee does not reflect current costs. Upon review of the fee by the Auditor-Controller, it has been determined that the appropriate fee for issuing a duplicate regular and confidential marriage license is thirty dollars (\$30).

FISCAL IMPACT/ FINANCING:

Approval of this revised fee will increase Departmental annual revenue by approximately \$34,000 for the period October 1, 2005 through June 30, 2006.

FACTS AND PROVISIONS/LEGAL REQUIREMENTS:

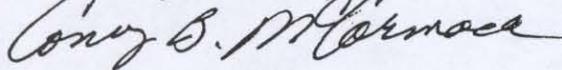
The Department of Registrar-Recorder/County Clerk is requesting approval for the proposed fee increase. Family Code section 360(c) allows the county clerk to collect a fee for issuing a duplicate marriage license and Government Code section 26820 allows fees to be collected for services performed by the clerk, when not otherwise provided by law. Furthermore, Government Code section 54985 provides that a county board of supervisors shall have the authority to increase a fee in the amount necessary to recover the cost of providing any product or service. County Counsel has prepared the attached required ordinance that incorporates the proposed fee and revision.

Prior to adopting an ordinance, resolution, or other legislative enactment adopting a new fee or approving an increase in an existing fee, Government Code section 66018 requires a local agency to hold a public hearing, at which oral or written presentations can be made. The Board of Supervisors' Executive Office, in accordance with section 6062(a) of the Government Code, published an official notice of the time and place of said meeting, including a general explanation of the fee to be established or revised. This fee has been reviewed and approved by the Auditor.

IMPACT ON CURRENT SERVICES:

The proposed fee will not impact current services provided by the Department.

Respectfully submitted,



CONNIE B. McCORMACK
Registrar-Recorder/County Clerk

KC:ds:ifs

Attachments

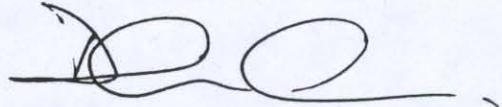
- c: Chief Administrative Office
- Executive Officer, Board of Supervisors
- Auditor-Controller
- County Counsel

ANALYSIS

This ordinance amends Chapter 2.32, Title 2 – Administration, of the Los Angeles County Code to authorize the Registrar-Recorder/County Clerk to charge a fee of \$30.00 to recover the actual costs for issuing a duplicate marriage license, and a fee of \$30.00 for issuing a duplicate confidential marriage license.

RAYMOND G. FORTNER, JR.
County Counsel

By

A handwritten signature in black ink, appearing to read "Derrick M. Au", written over a horizontal line.

DERRICK M. AU
Senior Deputy County Counsel
Government Services Division

DMA:er

7/12/05 (requested)

ORDINANCE NO. _____

An ordinance amending Title 2 – Administration, of the Los Angeles County Code, relating to fees for the Registrar-Recorder/County Clerk.

The Board of Supervisors of the County of Los Angeles ordains as follows:

SECTION 1. Section 2.32.100 is hereby amended to read as follows:

2.32.100 Marriage license fee.

The registrar-recorder/county clerk shall charge a fee of \$70.00 for issuing a marriage license, and a fee of ~~\$12.00~~ 30.00 for issuing a duplicate marriage license, and shall charge a fee of \$70.00 for issuing a confidential marriage license, and a fee of ~~\$12.00~~ 30.00 for issuing a duplicate confidential marriage license.

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