

## LEGISLATIVE BILL 286

Approved by the Governor March 9, 1975

Introduced by Judiciary Committee, Luedtke, 28, Chmn.;  
Barnett, 26; DeCamp, 40; Nichol, 48; Chambers,  
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AN ACT to amend section 33-130, Reissue Revised Statutes of Nebraska, 1943, and sections 24-511, 24-532, and 29-2709, Revised Statutes Supplement, 1974, relating to fees and costs; to provide that county courts shall transmit fees and costs to the State Treasurer; to remove a duty of county judges as prescribed; to provide an operative date; to repeal the original sections; and to declare an emergency.

Be it enacted by the people of the State of Nebraska,

Section 1. That section 24-511, Revised Statutes Supplement, 1974, be amended to read as follows:

24-511. The clerk shall have the same power in the county court, unless otherwise specifically provided in sections 24-501 to 24-590, as the clerk of the district court. The clerk may sign and issue marriage licenses in the name of the county judge. The clerk shall keep and be the custodian of the records of the court. He shall receive and account for all fees and money received by him the court, and shall deposit all money received in a bank approved pursuant to sections 77-2326.01 to 77-2326.09. ~~He shall receive--and--account for--all--fees--and--costs--taxed--and--earned--by--the--court--and--shall--pay--the--same--into--the--county--treasury--at--the--end--of--each--month--with--a--full--and--accurate--statement--of--all--such--fees.~~ Provisions of law relating to dockets of the district court shall, as nearly as may be, apply to the dockets of the county court.

Sec. 2. That section 24-532, Revised Statutes Supplement, 1974, be amended to read as follows:

24-532. Fees and costs in the county court shall be those provided by Chapter 33. Each ~~county--treasurer clerk of the court~~ shall, not later than the fifteenth day of the month following the calendar month in which they were received, monthly transmit all such fees and costs received ~~from--the--county--court~~ to the State Treasurer, who shall deposit the same in the state General Fund.

Sec. 3. That section 29-2709, Revised Statutes Supplement, 1974, be amended to read as follows:

29-2709. When any costs in misdemeanor, peace warrant, or juvenile cases in county court are found by a county judge to be uncollectible for any reason, including the dismissal of the case, the judge, in his discretion, may enter an order waiving such portion of the costs as by law would be paid over by the court to ~~the--county--treasurer--for--transmittal~~ to the State Treasurer for deposit in the state General Fund. In all cases brought by or with the consent of the county attorney, all such uncollectible costs not waived shall be certified by the clerk of the court to the county clerk, who shall present the bills therefor to the county board at the first meeting thereof in the months of April and October of each year. The county board shall pay from the county general fund all such bills found by the board to be lawful. In all cases brought under city or village ordinance, all such uncollectible costs not waived shall be certified to the appropriate city or village officer authorized to receive claims, who shall present the bills therefor to the governing body of the city or village in the same manner as other claims. Such governing body shall pay from the general fund of the city or village all such bills as are found to be lawful.

Sec. 4. That section 33-130, Reissue Revised Statutes of Nebraska, 1943, be amended to read as follows:

33-130. Each ~~county--judge,~~ county clerk, or register of deeds shall, not later than the fifteenth day of the month following the calendar month in which fees are received, pay over to the county treasurer all fees received and take the receipt of the county treasurer therefor. Except as provided by section 24-532, all fees received by the county treasurer pursuant to this section shall be credited to the general fund of the county.

Sec. 5. This act shall become operative on July 1, 1975, with regard to all fees and costs collected on and after that date.

Sec. 6. That original section 33-130, Reissue Revised Statutes of Nebraska, 1943, and sections 24-511, 24-532, and 29-2709, Revised Statutes Supplement, 1974, are repealed.

Sec. 7. Since an emergency exists, this act shall be in full force and take effect, from and after its passage and approval, according to law.