



Home	Bill Information	California Law	Publications	Other Resources	My Subscriptions	My Favorites
------	------------------	----------------	--------------	-----------------	------------------	--------------

Code:  Section:

[Up^](#) [Add To My Favorites](#)

**GOVERNMENT CODE - GOV**

**TITLE 3. GOVERNMENT OF COUNTIES [23000 - 33205]** ( Title 3 added by Stats. 1947, Ch. 424. )

**DIVISION 2. OFFICERS [24000 - 28085]** ( Division 2 added by Stats. 1947, Ch. 424. )

**PART 3. OTHER OFFICERS [26500 - 27773]** ( Part 3 added by Stats. 1947, Ch. 424. )

**CHAPTER 3. County Clerk [26801 - 26861]** ( Heading of Chapter 3 renumbered from Chapter 4 by Stats. 1947, Ch. 429. )

**ARTICLE 2. Fees [26820 - 26861]** ( Article 2 added by Stats. 1947, Ch. 424. )

**26820.** The county clerk shall charge and collect the fees fixed in this article for service performed by the clerk, when not otherwise provided by law.

(Amended by Stats. 2005, Ch. 75, Sec. 49. Effective July 19, 2005. Operative January 1, 2006, by Sec. 156 of Ch. 75.)

**26831.** The county clerk may charge a reasonable fee to cover the cost of preparing copies of any record, proceeding, or paper on file in his or her office.

(Amended by Stats. 2005, Ch. 75, Sec. 72. Effective July 19, 2005. Operative January 1, 2006, by Sec. 156 of Ch. 75.)

**26833.** The fee for certifying to a copy of any paper, record, or proceeding on file in the office of the county clerk is one dollar and seventy-five cents (\$1.75).

(Amended by Stats. 1982, Ch. 327, Sec. 74. Effective June 30, 1982.)

**26836.** For every certificate the fee for which is not otherwise fixed, the fee is one dollar and seventy-five cents (\$1.75).

(Amended by Stats. 1982, Ch. 327, Sec. 76. Effective June 30, 1982.)

**26837.** For comparing with the original on file in the office of the county clerk, the copy of any paper, record, or proceeding prepared by another and presented for his or her certificate, the fee is fifty cents (\$0.50) a page, in addition to the fee for the certificate.

(Amended by Stats. 2005, Ch. 75, Sec. 80. Effective July 19, 2005. Operative January 1, 2006, by Sec. 156 of Ch. 75.)

**26839.** For an exemplification of a record or other paper on file, the fee is twenty dollars (\$20) and the charges allowed for copying or comparing.

(Amended by Stats. 1993, Ch. 158, Sec. 9. Effective July 21, 1993.)

**26840.** The fee for issuing a marriage license is ten dollars (\$10), to be collected at the time it is issued. One dollar (\$1) of this fee shall be paid to the county recorder, one dollar (\$1) of this fee shall be paid to the county clerk, and one dollar (\$1) of this fee shall be paid to the State Registrar of Vital Statistics and seven dollars (\$7) of this fee shall be disposed of pursuant to the provisions of Section 54 of Chapter 120, Statutes of 1966, First Extraordinary Session. In counties where the salary of the county recorder is the sole compensation allowed by law, this fee shall be paid to the county treasurer who shall credit one dollar (\$1) to the county recorder and shall pay one dollar (\$1) to the State Registrar of Vital Statistics. The fee provided by this section is in full for all services of the clerk and recorder in connection with the issuance of a marriage license and the filing of a certificate of registry of marriage.

(Amended by Stats. 1979, Ch. 139.)

**26840.1.** (a) The fee for filing a marriage certificate pursuant to Part 4 (commencing with Section 500) of Division 3 of the Family Code is fourteen dollars (\$14), to be collected at the time an authorization for the performance of the marriage is issued or a blank authorization form is obtained from the county clerk pursuant to Part 4 (commencing with Section 500) of Division 3 of the Family

Code. Four dollars (\$4) of the fee shall be paid to the State Registrar of Vital Statistics. One dollar (\$1) of the fee shall be paid to the county treasurer and shall be used to defray any local costs incurred pursuant to Part 4 (commencing with Section 500) of Division 3 of the Family Code.

(b) Notwithstanding subdivision (a), in addition to the amount authorized by subdivision (a) the county clerk may impose an additional amount, not to exceed three dollars (\$3), if he or she determines that the additional amount is necessary to defray local costs.

*(Amended by Stats. 1992, Ch. 163, Sec. 81. Effective January 1, 1993. Operative January 1, 1994, by Sec. 161 of Ch. 163.)*

**26840.2.** Whenever the board of supervisors of a county makes provision by ordinance for the issuance of marriage licenses outside of the normal business hours, the board may establish a fee, in addition to that provided in Section 26840, not to exceed five dollars (\$5), which shall be paid to the county treasury.

*(Amended by Stats. 1981, Ch. 199, Sec. 1.)*

**26840.3.** (a) For the support of the family conciliation court or for conciliation and mediation services provided pursuant to Chapter 11 (commencing with Section 3160) of Part 2 of Division 8 of the Family Code, to provide all space costs and indirect overhead costs from other sources, the board of supervisors in any county may increase:

(1) The fee for issuing a marriage license, by an amount not to exceed five dollars (\$5).

(2) The fee for issuing a marriage certificate pursuant to Part 4 (commencing with Section 500) of Division 3 of the Family Code, by an amount not to exceed five dollars (\$5).

(b) The county shall distribute the moneys received under subdivision (a) to the court to be used exclusively to pay the costs of maintaining the family conciliation court or conciliation and mediation services provided pursuant to Chapter 11 (commencing with Section 3160) of Part 2 of Division 8 of the Family Code.

*(Amended by Stats. 2005, Ch. 75, Sec. 83. Effective July 19, 2005. Operative January 1, 2006, by Sec. 156 of Ch. 75.)*

**26840.7.** In addition to the fee prescribed by Section 26840 and as authorized by Section 26840.3, the county clerk shall collect a fee of twenty-three dollars (\$23) at the time of issuance of the license. The fee shall be disposed of by the clerk pursuant to Chapter 5 (commencing with Section 18290) of Part 6 of Division 9 of the Welfare and Institutions Code. Of this amount, four dollars (\$4) shall be used, to the extent feasible, to develop or expand domestic violence shelter-based programs to target underserved areas and populations.

*(Amended by Stats. 2006, Ch. 857, Sec. 1. Effective January 1, 2007.)*

**26840.8.** In addition to the fee prescribed by Section 26840.1 and as authorized by Section 26840.3, the person issuing an authorization for the performance of a marriage pursuant to Part 4 (commencing with Section 500) of Division 3 of the Family Code or the county clerk, upon providing a blank authorization form pursuant to Part 4 (commencing with Section 500) of Division 3 of the Family Code, shall collect a fee of twenty-three dollars (\$23) at the time of providing the authorization. The fee shall be disposed of pursuant to Chapter 5 (commencing with Section 18290) of Part 6 of Division 9 of the Welfare and Institutions Code. Of this amount, four dollars (\$4) shall be used, to the extent feasible, to develop or expand domestic violence shelter-based programs to target underserved areas and populations.

*(Amended by Stats. 2006, Ch. 857, Sec. 2. Effective January 1, 2007.)*

**26840.10.** (a) The Alameda County Board of Supervisors, upon making findings and declarations for the need for governmental oversight and coordination of the multiple agencies dealing with domestic violence, may authorize an increase in the fees for marriage licenses and confidential marriage licenses, up to a maximum increase of two dollars (\$2).

(b) Effective July 1 of each year, the Alameda County Board of Supervisors may authorize an increase in these fees by an amount equal to the increase in the Consumer Price Index for the San Francisco metropolitan area for the preceding calendar year, rounded to the nearest half-dollar (\$0.50). The fees shall be allocated pursuant to Section 18309 of the Welfare and Institutions Code.

(c) In addition to the fee prescribed by Section 26840.1, in Alameda County, the person issuing authorization for the performance of a marriage or confidential marriage, or the county clerk upon providing a blank authorization form pursuant to Part 4 (commencing with Section 500) of Division 3 of the Family Code, shall collect the fees specified in subdivisions (a) and (b), at the time of providing the authorization.

(d) This section shall become operative on January 1, 2015.

*(Repealed (in Sec. 2) and added by Stats. 2009, Ch. 215, Sec. 3. (AB 73) Effective January 1, 2010. Section operative January 1, 2015, by its own provisions.)*

**26840.11.** (a) The Solano County Board of Supervisors, upon making findings and declarations for the need for governmental oversight and coordination of the multiple agencies dealing with domestic violence, may authorize an increase in the fees for marriage licenses and confidential marriage licenses, up to a maximum increase of two dollars (\$2).

(b) Effective July 1 of each year, the Solano County Board of Supervisors may authorize an increase in these fees by an amount equal to the increase in the Consumer Price Index for the San Francisco metropolitan area for the preceding calendar year, rounded to the nearest one-half dollar (\$0.50). The fees shall be allocated pursuant to Section 18309.5 of the Welfare and Institutions Code.

(c) In addition to the fee prescribed by Section 26840.1, in Solano County, the person issuing authorization for the performance of a marriage or confidential marriage, or the county clerk upon providing a blank authorization form pursuant to Part 4 (commencing with Section 500) of Division 3 of the Family Code, shall collect the fees specified in subdivisions (a) and (b), at the time of providing the authorization.

(d) The Solano County Board of Supervisors shall submit to the Assembly and Senate Committees on Judiciary, no later than July 1, 2009, a preliminary report and a followup report no later than July 1, 2014, containing the following information:

(1) The annual amounts of funds received and expended from fee increases for the purpose of governmental oversight and coordination of domestic violence prevention, intervention, and prosecution efforts in the county.

(2) Outcomes achieved as a result of the activities associated with the implementation of this section.

*(Amended by Stats. 2011, Ch. 120, Sec. 1. (SB 154) Effective January 1, 2012.)*

**26847.** The fee for making a record of a certificate of revivor is two dollars (\$2).

*(Amended by Stats. 1949, Ch. 739.)*

**26849.1.** The fee for filing, canceling, revoking, or withdrawing the bond of a notary public is seven dollars (\$7).

The recording fee for the notice of cancellation, revocation, or withdrawal and any related document by the surety shall be paid to the county clerk, who shall transmit it to the county recorder.

*(Amended by Stats. 1991, Ch. 1090, Sec. 15.)*

**26850.** For filing and indexing all papers for which a charge is not elsewhere provided, other than papers filed in actions or special proceedings, official bonds, or certificates of appointment, the fee is two dollars and twenty-five cents (\$2.25).

*(Amended by Stats. 1982, Ch. 327, Sec. 79. Effective June 30, 1982.)*

**26851.** For either recording or registering any license or certificate or issuing any certificate, or both, in connection with a license, required by law for which a charge is not otherwise prescribed, the fee is two dollars and twenty-five cents (\$2.25).

*(Amended by Stats. 1982, Ch. 327, Sec. 80. Effective June 30, 1982.)*

**26852.** The fee for each certificate to the official capacity of any public official is two dollars and twenty-five cents (\$2.25).

*(Amended by Stats. 1982, Ch. 327, Sec. 81. Effective June 30, 1982.)*

**26853.** The fee for taking an affidavit, except in criminal cases or adoption proceedings, is two dollars and twenty-five cents (\$2.25).

*(Amended by Stats. 1982, Ch. 327, Sec. 82. Effective June 30, 1982.)*

**26854.** The fee for searching records or files is five dollars (\$5) for each file.

*(Amended by Stats. 1991, Ch. 651, Sec. 1.)*

**26855.** The fee for taking acknowledgment of any deed or other instrument, including the certificate, is two dollars and twenty-five cents (\$2.25) for each signature.

*(Amended by Stats. 1982, Ch. 327, Sec. 84. Effective June 30, 1982.)*

**26855.1.** The fee for filing a power of attorney for an admitted surety insurer, or a notice of cancellation, revocation, or withdrawal of a power of attorney for an admitted surety insurer, is three dollars and fifty cents (\$3.50), or, if more than one name is designated, two dollars and twenty-five cents (\$2.25) for each name.

*(Amended by Stats. 1992, Ch. 876, Sec. 11. Effective January 1, 1993.)*

**26855.2.** The fee for filing a financial statement of an admitted surety insurer is three dollars and fifty cents (\$3.50), but nothing in this section shall be construed to require an admitted surety insurer to file such a statement.

*(Amended by Stats. 1982, Ch. 327, Sec. 86. Effective June 30, 1982.)*

**26855.3.** The fee for issuing a certificate pursuant to Section 995.640 of the Code of Civil Procedure is three dollars and fifty cents (\$3.50).

*(Amended by Stats. 1983, Ch. 18, Sec. 23. Effective April 21, 1983.)*

**26857.** No fee shall be charged by the clerk for service rendered to any municipality or county in the state, or to the state or national government, nor for any service relating thereto.

*(Amended by Stats. 2005, Ch. 75, Sec. 92. Effective July 19, 2005. Operative January 1, 2006, by Sec. 156 of Ch. 75.)*

**26858.** No fees or other compensation shall be charged by any county clerk for taking and certifying affidavits for pension claimants, the payment of a pension voucher, or any matters relating thereto under the laws of the United States.

*(Added by Stats. 1947, Ch. 424.)*

**26861.** A fee of fifteen dollars (\$15) may be charged for performing a marriage ceremony pursuant to Section 401 of the Family Code, which shall be paid into the county treasury.

*(Amended by Stats. 1992, Ch. 163, Sec. 85. Effective January 1, 1993. Operative January 1, 1994, by Sec. 161 of Ch. 163.)*