

1 [Amending fees charged by the County Clerk for Declarations of Domestic Partnership and
2 Amendments to a Declaration of Domestic Partnership]

3 **Ordinance amending Administrative Code Sections 8.33.1, 62.8 and 62.9 to provide that**
4 **the County Clerk may impose a \$40 filing fee for all Declarations of Domestic**
5 **Partnership and all Amendments to a Declaration of Domestic Partnership, and to**
6 **provide for annual adjustment of those fees and of the fees for domestic partnership**
7 **ceremonies to reflect changes in the Consumer Price Index.**

8 Note: Additions are *single-underline italics Times New Roman*;
9 deletions are ~~*strikethrough italics Times New Roman*~~.
10 Board amendment additions are double underlined.
11 Board amendment deletions are ~~strikethrough normal~~.

12 Be it ordained by the People of the City and County of San Francisco:

13 Section 1. Findings

14 The Planning Department has determined that the actions contemplated in this
15 Ordinance are in compliance with the California Environmental Quality Act (California Public
16 Resources Code sections 21000 et seq.). Said determination is on file with the Clerk of the
17 Board of Supervisors in File No. _____ and is incorporated herein by reference.

18 Section 2.

19 The San Francisco Administrative Code is hereby amended by amending section
20 8.33.1 as follows:

21 SEC. 8.33.1. COUNTY CLERK'S FEES.

22 Pursuant to Government Code Sections 54985 through 54987 and 26831 and
23 Business and Professions Code Section 22352, the County Clerk is hereby authorized to
24 charge fees to defray the actual cost of issuance of the following documents and the provision
25

1 of the following services, notwithstanding the fees otherwise set or limited by State law. Any
2 persons requesting the following documents or services shall pay the following fees:

3		
4	Public marriage license (county clerk's portion of the license fee only; additional statutory surcharges apply)	\$ 50.00
5		
6	Confidential marriage license (county clerk's portion of the license fee only; additional statutory surcharges apply)	50.00
7	<u>Filing of Declaration of Domestic Partnership</u>	<u>40.00</u>
8		
9	<u>Filing of Amendment to Declaration of Domestic Partnership</u>	<u>40.00</u>
10	Duplicate copy of marriage license	16.00
11	Amendment to marriage license	20.00
12		
13	Performance of marriage/domestic partnership ceremony in City Hall -	
14	During regular business hours	60.00
15	On weekends or holidays	100.00
16	Issuance of authority to perform ceremony and oath	100.00
17	Filing fictitious business name statement	37.00
18	Additional name or registrant on same statement	9.00
19	Filing affidavit of publication	6.00
20		
21	Withdrawing partner or abandoning fictitious business statement	30.00
22		
23	Administration of oath and filing notary public bond (does not include additional state fees for recording)	30.00
24	Surrender of notary journal	12.00
25		

1		
2	Filing, revoking, canceling <u>canceling</u> or withdrawing power of	27.00
3	attorney (surety insurer)	
4	Additional name	7.00
5	Process server identification card	10.00
6	Processing of fingerprint cards (not including State	10.00
7	Department of Justice fee)	
8	Authentication of public official/ notary public	10.00
9	Search of County Clerk's files	7.50
10	Copies of records on file	
11	(per page, pages 1 through 3)	4.50
12	(each additional page)	0.10
13	Certifying/endorsing documents or copies of documents	1.50
14	Fictitious business name index records	
15	Records for one day	9.50
16	Records for one week	9.50
17	Records for two weeks	20.00
18	Records for one month	20.00
19	Diskette	1.00
20	New client fee	15.00
21	Delivery handling fee	10.00
22	Environmental impact report, administration fee	30.00
23	Such fees received by the County Clerk shall be deposited with the City and	
24	County Treasurer. Portions of the fees for marriage licenses shall be disbursed in accordance	
25	with Government Code Sections 26840, 26840.1, 26840.3, 26840.7, and 26840.8 and San	
	Francisco Administrative Code Section 10.117-21.	

1 (b) Beginning with fiscal year 2003-2004, fees set in this Section may be
2 adjusted each year, without further action by the Board of Supervisors, to reflect changes in
3 the relevant Consumer Price Index, as determined by the Controller.

4 No later than April 15th of each year, the County Clerk shall submit its current
5 fee schedule to the Controller, who shall apply the price index adjustment to produce a new
6 fee schedule for the following year.

7 No later than May 15th of each year, the Controller shall file a report with the
8 Board of Supervisors reporting the new fee schedule and certifying that: (a) the fees produce
9 sufficient revenue to support the costs of providing the services for which each fee is
10 assessed, and (b) the fees do not produce revenue which is significantly more than the costs
11 of providing the services for which each fee is assessed. (Added by Ord. 323-98, App.
12 10/30/98; amended by Ord. 155-02, File No. 021079, App. 7/12/2002)

13 Sec. 3.

14 The San Francisco Administrative Code is hereby amended by amending Sections
15 62.8 and 62.9 to read as follows:

16 SEC. 62.8. FILING FEES.

17 For each filing of a Declaration of Domestic Partnership and each Amendment
18 to a Declaration of Domestic Partnership the County Clerk shall charge a fee of ~~\$10~~ \$40. This
19 fee may be adjusted pursuant to Section 8.33.1(b) of this Code to reflect changes in the relevant
20 Consumer Price Index as determined by the Controller. (Added by Ord. 2-91, App. 1/14/91;
21 amended by Ord. 155-02, File No. 021079, App. 7/12/2002)

22 SEC. 62.9. CIVIL CEREMONY.

23 (a) The County Clerk and any other person authorized by state law to
24 perform marriage ceremonies are authorized to perform a civil ceremony solemnizing the
25 formation of a Domestic Partnership established in accordance with this Chapter. Persons

1 who either (1) present a signed Declaration of Domestic Partnership for filing to the County
2 Clerk in accordance with Section 62.3(a)(1), or who (2) present a certificate issued by the
3 County Clerk in accordance with Section 62.3(a)(1) showing that a signed Declaration of
4 Domestic Partnership for these persons has been previously filed with the County Clerk, may
5 request that the County Clerk or any other person authorized by state law to perform marriage
6 ceremonies perform a ceremony solemnizing the formation of their Domestic Partnership.
7 Each request for a Domestic Partnership ceremony by the County Clerk shall be made in
8 writing on a form provided by the County Clerk, and shall be accompanied by payment of a
9 fee of \$60, for a ceremony to be performed during regular business hours, and \$100, for a
10 ceremony to be performed on a weekend or holiday. These fees may be adjusted pursuant to
11 Section 8.33.1(b) of this Code to reflect changes in the relevant Consumer Price Index as determined
12 by the Controller.

13 (b) Upon completion of the ceremony authorized by Subsection (a), the
14 County Clerk shall issue a souvenir certificate memorializing the performance of the
15 ceremony. If the ceremony is performed by a person other than the County Clerk, the
16 persons entering into Domestic Partnership shall obtain a Ceremony Request Form from the
17 County Clerk prior to the ceremony and shall return such Ceremony Request Form to the
18 County Clerk within six months following the ceremony. The Ceremony Request Form shall
19 be signed by the officiant. The County Clerk shall keep a record of all such ceremonies
20 performed, filed with the Declaration of Domestic Partnership to which they apply. The County
21 Clerk shall keep a record of Domestic Partnership ceremonies.

22 (c) The County Clerk is authorized to deputize persons to solemnize
23 Domestic Partnership ceremonies. Any person 18 years of age or older may apply to be
24 deputized for this purpose. Approval of applicants and the terms of any such authorization
25

1 shall be solely within the discretion of the County Clerk. The County Clerk shall charge a fee,
2 as set forth in Section 8.33.1, for issuing an authorization to perform the ceremony and oath.

3 (d) The ceremony authorized by this Section shall have no legal effect upon
4 the status of a Domestic Partnership established pursuant to this Chapter. (Added by Ord.
5 66-96, App. 2/9/96; amended by Ord. 201-99, File No. 990996, App. 7/1/99; Ord. 155-02, File
6 No. 021079, App. 7/12/2002)

7

8 APPROVED AS TO FORM:
9 DENNIS J. HERRERA, City Attorney

10 By:

K. Scott Dickey
Deputy City Attorney

11

12

13

14

15

16

17

18

19

20

21

22

23

24

25