SB327 ENGROSSED



- 1 EPST9C-2
- 2 By Senator Scofield (N & P)
- 3 RFD: Local Legislation
- 4 First Read: 16-May-23
- 5 2023 Regular Session

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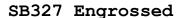


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4	A BILL
5	TO BE ENTITLED
6	AN ACT
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9	Relating to Marshall County; to create a service of
10	process fee to be charged for service of process by a sheriff
11	of documents in the District Court, Circuit Court, Family
12	Court, and Juvenile Court of the county; to create a service
13	of process fee to be charged for service of process in actions
14	instituted outside the state; and to provide for distribution
15	of the proceeds of the fee.
16	BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:
17	Section 1. (a) This section shall only apply to
18	Marshall County.
19	(b) In addition to all other charges, fees, judgments,
20	and costs of court, in the District Court, Circuit Court,
21	Family Court, and Juvenile Court of Marshall County, the
22	following fees shall be collected:
23	(1) A service of process fee of twenty-five dollars
24	(\$25) shall be collected for service of process on each
25	document requiring personal service of process by the sheriff
26	or any deputy sheriff.
27	(2) A service of process fee of twenty-five dollars
28	(\$25) shall be collected for service or attempted service of

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- 29 any papers or documents by the sheriff or any deputy sheriff
- 30 arising out of any civil or criminal action pending or
- instituted outside the State of Alabama, whether at law or
- 32 equity.
- 33 (c) The clerk of the court or designee in Marshall
- 34 County by law for the respective courts shall collect the
- 35 service of process fee designated in subsection (b) and
- 36 distribute the fee to the Sheriff's Law Enforcement Fund in
- 37 the county.
- 38 (d) Notwithstanding the foregoing, the fees designated
- in subsection (b) may not be imposed or collected if the court
- 40 finds that payment of the fee will create a substantial
- 41 hardship. A verified statement signed by the person requesting
- 42 service and approved by the court attesting the substantial
- 43 hardship shall be filed with the clerk of the court.
- (e) The district attorney, law enforcement, and grand
- 45 juries shall be exempt from payment of the fees provided for
- 46 in this section.
- 47 Section 2. This act shall become effective on the first
- day of the third month following its passage and approval by
- 49 the Governor, or its otherwise becoming law.





50 51 52 Senate Read for the first time and referred16-May-23 53 54 to the Senate committee on Local Legislation 55 56 57 on the calendar: 58 59 0 amendments 60 Read for the third time and passed23-May-23 61 62 as amended Yeas 31 63 Nays 0 64 Abstains 0 65 66 67 68 Patrick Harris, 69 Secretary.

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