

**HB447 ENGROSSED**



1 HB447

2 WY1Q995-2

3 By Representatives McCampbell, Jackson (N & P)

4 RFD: Local Legislation

5 First Read: 11-Apr-24



## HB447 Engrossed

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28

A BILL  
TO BE ENTITLED  
AN ACT

Relating to Marengo County; to provide for service of process in the county; to provide that the sheriff may contract with or enter into agreement with a private, public, or governmental entity for the purpose of service of process; to set the fee for civil documents; and to provide for the disposition of funds.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. This act shall apply only to Marengo County.

Section 2. The sheriff, except for warrants for arrest, may contract with or enter into agreement with a private, public, or governmental entity for the purpose of service of process.

Section 3. (a) In addition to all existing charges, fees, judgments, and costs of court, the clerk, sheriff, or other appropriate court official in the civil division of the district and circuit courts of the county shall assess a service of process fee of fifty dollars (\$50) for service or attempted service of process on each document requiring personal service of process by the sheriff for matters pending or to be commenced in a court in the county.



## HB447 Engrossed

29           (b) In addition to all existing charges, fees,  
30 judgments, and costs of court, the clerk, sheriff, or other  
31 appropriate court official in the civil division of the  
32 district and circuit courts of the county shall assess a  
33 service of process fee of fifty dollars (\$50) for service or  
34 attempted service of process on each document requiring  
35 personal service of process by the sheriff for matters pending  
36 or to be commenced in a court in the state but outside of the  
37 county.

38           (c) In addition to all existing charges, fees,  
39 judgments, and costs of court, the clerk, sheriff, or other  
40 appropriate court official in the civil division of the  
41 district and circuit courts of the county shall assess a  
42 service of process fee of seventy-five dollars (\$75) for  
43 service or attempted service of process on each document  
44 requiring personal service of process by the sheriff for  
45 matters pending or to be commenced in a court outside of the  
46 state.

47           (d) Notwithstanding the foregoing, the fee shall not be  
48 assessed if a judge finds that payment of the fee will create  
49 a substantial hardship. A verified statement signed by the  
50 individual requesting service and approved by the judge  
51 attesting the substantial hardship shall be filed with the  
52 clerk of the court.

53           Section 4. The court official designated in the county  
54 by law for the respective courts shall collect the service of  
55 process fee designated in this act and remit the fees  
56 collected to the sheriff for deposit into the Sheriff's Law



## HB447 Engrossed

57 Enforcement Fund.

58           Section 5. The sheriff may use the monies generated by  
59 this act for law enforcement purposes and to discharge the  
60 duties of the office of the sheriff as the sheriff sees fit.

61           Section 6. The Sheriff's Law Enforcement Fund and the  
62 use of the proceeds may not diminish or take the place of any  
63 other source of income established for the sheriff or the  
64 operation of the jail.

65           Section 1. This act shall become effective on October  
66 1, 2024.



**HB447 Engrossed**

67  
68  
69  
  
70  
71  
72  
73  
74  
75  
76  
77  
78  
79  
80  
81  
82  
83  
84  
85  
86  
87

House of Representatives

Read for the first time and referred .....11-Apr-24  
to the House of Representatives  
committee on Local Legislation  
  
Read for the second time and placed .....18-Apr-24  
on the calendar:  
1 amendment  
  
Read for the third time and passed .....23-Apr-24  
as amended  
Yeas 10  
Nays 0  
Abstains 91

John Treadwell  
Clerk