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



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4	A BILL
5	TO BE ENTITLED
6	AN ACT
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9	Relating to Marengo County; to provide for service of
10	process in the county; to provide that the sheriff may
11	contract with or enter into agreement with a private, public,
12	or governmental entity for the purpose of service of process;
13	to set the fee for civil documents; and to provide for the
14	disposition of funds.
15	BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:
16	Section 1. This act shall apply only to Marengo County.
17	Section 2. The sheriff, except for warrants for arrest,
18	may contract with or enter into agreement with a private,
19	public, or governmental entity for the purpose of service of
20	process.
21	Section 3. (a) In addition to all existing charges,
22	fees, judgments, and costs of court, the clerk, sheriff, or
23	other appropriate court official in the civil division of the
24	district and circuit courts of the county shall assess a
25	service of process fee of fifty dollars (\$50) for service or
26	attempted service of process on each document requiring
27	personal service of process by the sheriff for matters pending
28	or to be commenced in a court in the county.

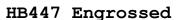
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- (b) In addition to all existing charges, fees, judgments, and costs of court, the clerk, sheriff, or other appropriate court official in the civil division of the district and circuit courts of the county shall assess a service of process fee of 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 state but outside of the county.
 - (c) 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 seventy-five dollars (\$75) 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 outside of the state.

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

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





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- Section 5. The sheriff may use the monies generated by
 this act for law enforcement purposes and to discharge the
 duties of the office of the sheriff as the sheriff sees fit.
 Section 6. The Sheriff's Law Enforcement Fund and the
 use of the proceeds may not diminish or take the place of any
- other source of income established for the sheriff or the
- 64 operation of the jail.
- Section 1. This act shall become effective on October
- 66 1, 2024.





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House of Representatives

70	Read for the first time and referred11-Apr-24
71	to the House of Representatives
72	committee on Local Legislation
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74	Read for the second time and placed18-Apr-24
75	on the calendar:
76	1 amendment
77	
78	Read for the third time and passed23-Apr-24
79	as amended
80	Yeas 10
81	Nays 0
82	Abstains 91
83	
84	
85	John Treadwell
86	Clerk
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