

1 HB655
2 167790-2
3 By Representatives Williams (JD), Drake, Coleman-Evans,
4 Rogers, Robinson, Garrett, Fridy, Farley, Treadaway and Givan
5 (N & P)
6 RFD: Jefferson County Legislation
7 First Read: 12-MAY-15

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8 SYNOPSIS: Under existing law, constables are entitled
9 to receive the same fees for service of civil
10 process as the sheriff's fee on December 18, 1973,
11 except in Jefferson County where the fee for
12 service of process is set at \$8 plus a \$7 gasoline
13 allowance.

14 This bill would increase the fees for
15 service of process by constables in Jefferson
16 County.

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18 A BILL
19 TO BE ENTITLED
20 AN ACT

21
22 To amend Section 12-19-92 of the Code of Alabama
23 1975, relating to the fees of constables for the service of
24 civil process, to increase the fees for service of process by
25 constables in Jefferson County.

26 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

1 Section 1. Section 12-19-92 of the Code of Alabama
2 1975, is amended to read as follows:

3 "§12-19-92.

4 "(a) Constables shall be entitled to the following
5 fees for the following services in civil cases in which the
6 amount in controversy is less than \$20.00:

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|----|--|--------|
| 7 | (1) Serving summons | \$.50 |
| 8 | (2) Summoning each witness | .25 |
| 9 | (3) Levying an attachment for not more | .75 |
| 10 | than \$50.00 | |
| 11 | (4) Levying an attachment for more than | 1.00 |
| 12 | \$50.00 | |
| 13 | (5) Levying an execution for not more | .50 |
| 14 | than \$50.00 | |
| 15 | (6) Levying an execution for more than | 1.00 |
| 16 | \$50.00 | |
| 17 | (7) Making money on execution, two per- | .50 |
| 18 | cent on the amount collected, but in no | |
| 19 | case less than | |
| 20 | (8) Serving notice on each party therein | .25 |
| 21 | named | |
| 22 | (9) Serving notice in the nature of | .50 |
| 23 | scire facias | |
| 24 | (10) Taking any bond required by law | .50 |

- 1 (11) Keeping property levied on, such
2 sum as a judge may order to be paid out
3 of the money in the hands of the consta-
4 ble arising from the sale
- 5 (12) In cases of forcible entry and 1.00
6 detainer, and unlawful detainer, for
7 serving summons and writ
- 8 (13) For executing writ of restitution 2.00
9 in such cases
- 10 (14) For other services in such cases,
11 the same fees as in other cases

12 " (b) In civil cases, the fees of constables shall be
13 the same as the sheriff's fees on December 18, 1973, when
14 performing the same or like services, where the amount in
15 controversy is ~~\$20.00~~ twenty dollars (\$20) or more, except in
16 Jefferson County where constables shall receive an
17 administrative fee of ten dollars (\$10) for each process or
18 alias process issued to the constable and a fee of ~~eight~~
19 dollars ~~(\$8.00)~~ ten dollars (\$10) for actual service of each
20 process, and a gasoline allowance of ~~seven dollars (\$7.00)~~ ten
21 dollars (\$10) for the actual service of each process."

22 Section 2. This act shall become effective on the
23 first day of the third month following its passage and
24 approval by the Governor, or its otherwise becoming law.

