

1 182369-2 : n : 03/15/2017 : SANFORD / hmb

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3 SENATE COUNTY AND MUNICIPAL GOVERNMENT COMMITTEE AMENDMENT #2
4 TO SB14

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9 On page 2, after line 18, insert the following new
10 subsection (c):

11 "(c) (1) All payments provided for in this section,
12 including all fees allowed by law, fees for transcripts of
13 papers filed in a case, and security deposits for expected
14 court costs, shall be waived initially if the court finds that
15 payment of the fees will constitute a substantial hardship. A
16 verified statement of substantial hardship, signed by the
17 plaintiff, shall be filed with the clerk of court.

18 "(2) A court shall find that payment of the fees
19 would constitute a substantial hardship if the litigant has
20 income under the amounts contained in Section 15-12-1 (4) a.
21 and b., unless the court makes a written finding that the
22 litigant has the resources to pay the fees owed without
23 substantial hardship.

24 "(3) If a litigant files a pleading or otherwise
25 initiates a case with a verified statement of substantial
26 hardship as provided in this subsection, that pleading shall

1 be considered filed as of the date that the verified statement
2 of substantial hardship was submitted to the court.

3 "(4) A litigant shall have 30 days to submit payment
4 of the fees owed after any written finding by the court that
5 the litigant has the resources to pay the fees owed without
6 substantial hardship. Any litigant for whom pre-payment is
7 waived under this section may have applicable fees and costs
8 taxed at the conclusion of the case.