

HB444 INTRODUCED



1 02R9CC-1
2 By Representative Ellis (N & P)
3 RFD: Shelby County Legislation
4 First Read: 09-May-23
5
6 2023 Regular Session



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A BILL
TO BE ENTITLED
AN ACT

Relating to Shelby County; to further provide for service of process in civil cases in Shelby County; to set an additional fee for civil service of process; to create the Shelby County Sheriff's Civil Service of Process Fund; to provide for the distribution of funds to the sheriff's civil service of process fund; and to authorize the sheriff to contract with or enter into an agreement with a private, public, or governmental entity for the purpose of service of process.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1.(a) This section shall only apply to Shelby County.

(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 Shelby County, a civil service of process fee of fifty dollars (\$50) per document is imposed for each document requiring personal service by the sheriff's office. For purposes of this act, the term "document" shall include multiple papers served on a party or entity at one



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29 time.

30 (c) The Shelby County Sheriff's Civil Service of
31 Process Fund is created.

32 (d) The court official designated in Shelby County by
33 law for the respective courts shall collect the service of
34 process fee designated in subsection (b) and shall distribute
35 the fees to the sheriff for deposit in the sheriff's civil
36 service of process fund.

37 (e) The Sheriff of Shelby County may contract with or
38 enter into contract or agreement with a private, public, or
39 governmental entity for the purpose of service of process.

40 (f) The sheriff may use the monies distributed to the
41 sheriff's civil service of process fund for law enforcement
42 purposes in Shelby County, as the sheriff sees fit, including
43 contracting with or entering into a contract or agreement with
44 a private, public, or governmental entity for service of
45 process of documents from the civil division of the district
46 or circuit court.

47 (g) Any funds deposited in the sheriff's civil service
48 of process fund shall not revert to the general fund of the
49 county at the end of the fiscal year.

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