

SB327 ENROLLED



1 EPST9C-3
2 By Senator Scofield (N & P)
3 RFD: Local Legislation
4 First Read: 16-May-23
5 2023 Regular Session



SB327 Enrolled

1 Enrolled, An Act,

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3 Relating to Marshall County; to create a service of
4 process fee to be charged for service of process by a sheriff
5 of documents in the District Court, Circuit Court, Family
6 Court, and Juvenile Court of the county; to create a service
7 of process fee to be charged for service of process in actions
8 instituted outside the state; and to provide for distribution
9 of the proceeds of the fee.

10 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

11 Section 1. (a) This section shall only apply to
12 Marshall County.

13 (b) In addition to all other charges, fees, judgments,
14 and costs of court, in the District Court, Circuit Court,
15 Family Court, and Juvenile Court of Marshall County, the
16 following fees shall be collected:

17 (1) A service of process fee of twenty-five dollars
18 (\$25) shall be collected for service of process on each
19 document requiring personal service of process by the sheriff
20 or any deputy sheriff.

21 (2) A service of process fee of twenty-five dollars
22 (\$25) shall be collected for service or attempted service of
23 any papers or documents by the sheriff or any deputy sheriff
24 arising out of any civil or criminal action pending or
25 instituted outside the State of Alabama, whether at law or
26 equity.

27 (c) The clerk of the court or designee in Marshall
28 County by law for the respective courts shall collect the



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29 service of process fee designated in subsection (b) and
30 distribute the fee to the Sheriff's Law Enforcement Fund in
31 the county.

32 (d) Notwithstanding the foregoing, the fees designated
33 in subsection (b) may not be imposed or collected if the court
34 finds that payment of the fee will create a substantial
35 hardship. A verified statement signed by the person requesting
36 service and approved by the court attesting the substantial
37 hardship shall be filed with the clerk of the court.

38 (e) The district attorney, law enforcement, and grand
39 juries shall be exempt from payment of the fees provided for
40 in this section.

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



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President and Presiding Officer of the Senate

Speaker of the House of Representatives

SB327

Senate 23-May-23

I hereby certify that the within Act originated in and passed the Senate, as amended.

Patrick Harris,
Secretary.

House of Representatives

Passed: 25-May-23

By: Senator Scofield