

SB327 INTRODUCED



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



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A BILL
TO BE ENTITLED
AN ACT

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

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

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

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

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

(2) A service of process fee of twenty-five dollars (\$25) shall be collected for service or attempted service of



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29 any papers or documents by the sheriff or any deputy sheriff
30 arising out of any civil or criminal action pending or
31 instituted outside the State of Alabama, whether at law or
32 equity.

33 (c) The clerk of the court or designee in Marshall
34 County by law for the respective courts shall collect the
35 service of process fee designated in subsection (b) and
36 distribute the fee to the Sheriff's Law Enforcement Fund in
37 the county.

38 (d) Notwithstanding the foregoing, the fees designated
39 in subsection (b) may not be imposed or collected if the court
40 finds that payment of the fee will create a substantial
41 hardship. A verified statement signed by the person requesting
42 service and approved by the court attesting the substantial
43 hardship shall be filed with the clerk of the court.

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

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