

HB447 ENROLLED



1 HB447
2 WY1Q995-3
3 By Representatives McCampbell, Jackson (N & P)
4 RFD: Local Legislation
5 First Read: 11-Apr-24



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1 Enrolled, An Act,

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3 Relating to Marengo County; to provide for service of
4 process in the county; to provide that the sheriff may
5 contract with or enter into agreement with a private, public,
6 or governmental entity for the purpose of service of process;
7 to set the fee for civil documents; and to provide for the
8 disposition of funds.

9 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

10 Section 1. This act shall apply only to Marengo County.

11 Section 2. The sheriff, except for warrants for arrest,
12 may contract with or enter into agreement with a private,
13 public, or governmental entity for the purpose of service of
14 process.

15 Section 3. (a) In addition to all existing charges,
16 fees, judgments, and costs of court, the clerk, sheriff, or
17 other appropriate court official in the civil division of the
18 district and circuit courts of the county shall assess a
19 service of process fee of fifty dollars (\$50) for service or
20 attempted service of process on each document requiring
21 personal service of process by the sheriff for matters pending
22 or to be commenced in a court in the county.

23 (b) In addition to all existing charges, fees,
24 judgments, and costs of court, the clerk, sheriff, or other
25 appropriate court official in the civil division of the
26 district and circuit courts of the county shall assess a
27 service of process fee of fifty dollars (\$50) for service or
28 attempted service of process on each document requiring



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29 personal service of process by the sheriff for matters pending
30 or to be commenced in a court in the state but outside of the
31 county.

32 (c) In addition to all existing charges, fees,
33 judgments, and costs of court, the clerk, sheriff, or other
34 appropriate court official in the civil division of the
35 district and circuit courts of the county shall assess a
36 service of process fee of seventy-five dollars (\$75) for
37 service or attempted service of process on each document
38 requiring personal service of process by the sheriff for
39 matters pending or to be commenced in a court outside of the
40 state.

41 (d) Notwithstanding the foregoing, the fee shall not be
42 assessed if a judge finds that payment of the fee will create
43 a substantial hardship. A verified statement signed by the
44 individual requesting service and approved by the judge
45 attesting the substantial hardship shall be filed with the
46 clerk of the court.

47 Section 4. The court official designated in the county
48 by law for the respective courts shall collect the service of
49 process fee designated in this act and remit the fees
50 collected to the sheriff for deposit into the Sheriff's Law
51 Enforcement Fund.

52 Section 5. The sheriff may use the monies generated by
53 this act for law enforcement purposes and to discharge the
54 duties of the office of the sheriff as the sheriff sees fit.

55 Section 6. The Sheriff's Law Enforcement Fund and the
56 use of the proceeds may not diminish or take the place of any



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57 other source of income established for the sheriff or the
58 operation of the jail.

59 Section 7. This act shall become effective on October
60 1, 2024.



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Speaker of the House of Representatives

President and Presiding Officer of the Senate

House of Representatives

I hereby certify that the within Act originated in and was passed by the House 23-Apr-24, as amended.

John Treadwell
Clerk

Senate

08-May-24

Passed