

1 HB562
2 209130-3
3 By Representative Sorrells (N & P)
4 RFD: Local Legislation
5 First Read: 18-MAR-21

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

ENROLLED, An Act,

Relating to Geneva County; to establish a service of process fee for the service or attempted service of certain documents from a court outside of the state by the Geneva County Sheriff's Office; to provide for the collection and distribution of the fees; and to establish the Geneva County Sheriff's Service of Process Fee Fund for the disposition of service of process fees.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. This act shall only apply to Geneva County.

Section 2. (a) In addition to all other charges, fees, and costs of court, a service of process fee not to exceed one hundred dollars (\$100) shall be collected for service or attempted service of process on each document requiring personal service of process by the sheriff for matters pending or to be commenced in a court outside of the State of Alabama. The exact amount of the fee shall be set by the county commission.

(b) The Geneva County Sheriff's Service of Process Fee Fund is created to supplement the budget of the Geneva County Sheriff's Office. The fund shall be used for law enforcement vehicles, communication equipment, and other technology for the office.

1 (c) (1) The clerk of the court or his or her designee
2 shall collect the service of process fee provided in
3 subsection (a) and distribute the fee to the Geneva County
4 Sheriff's Service of Process Fee Fund to be held and
5 administered by the Geneva County Commission.

6 (2) Notwithstanding the foregoing, the fee may not
7 be imposed and collected if the court finds payment of the fee
8 will create a substantial hardship. A verified statement
9 attesting the substantial hardship shall be signed and filed
10 with the clerk by the person requesting service and shall be
11 approved by the court.

12 (d) The Geneva County Sheriff's Service of Process
13 Fee Fund shall be an additional fund separate from the budget
14 of the sheriff as provided for in the county general fund. The
15 fees deposited into the Sheriff's Service of Process Fee Fund
16 shall not diminish, offset, or take the place of budgeted
17 funds or any other source of income established for the
18 sheriff or for the operation of the office of the sheriff.

19 Section 3. This act shall become effective on the
20 first day of the month following its passage and approval by
21 the Governor, or its otherwise becoming law.

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17

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 13-APR-21.

Jeff Woodard
Clerk

Senate 22-APR-21 Passed