



April 10, 2015

ENGROSSED SENATE BILL No. 217

DIGEST OF SB 217 (Updated April 8, 2015 6:23 pm - DI 113)

Citations Affected: IC 33-37.

Synopsis: Service of process fees collected by a sheriff. Requires a sheriff to collect a service of process fee of \$25 instead of \$13 from a party requesting service of a writ, an order, a process, a notice, a tax warrant, or any other paper completed by the sheriff. Provides that a sheriff may collect an additional fee of \$25 per case for postjudgment service.

Effective: July 1, 2015.

Boots, Arnold J, Randolph

(HOUSE SPONSORS — GUTWEIN, MCNAMARA, LAWSON L)

January 6, 2015, read first time and referred to Committee on Judiciary.
January 15, 2015, amended, reported favorably — Do Pass.
January 20, 2015, read second time, ordered engrossed. Engrossed.
January 22, 2015, read third time, passed. Yeas 41, nays 8.

HOUSE ACTION

March 2, 2015, read first time and referred to Committee on Judiciary.
March 23, 2015, reported — Do Pass. Referred to Committee on Ways and Means pursuant to Rule 127.
April 9, 2015, amended, reported — Do Pass.

ES 217—LS 6435/DI 69



April 10, 2015

First Regular Session 119th General Assembly (2015)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 2014 Regular Session and 2014 Second Regular Technical Session of the General Assembly.

ENGROSSED SENATE BILL No. 217

A BILL FOR AN ACT to amend the Indiana Code concerning courts and court officers.

Be it enacted by the General Assembly of the State of Indiana:

- 1 SECTION 1. IC 33-37-5-15, AS AMENDED BY P.L.156-2007,
2 SECTION 3, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
3 JULY 1, 2015]: Sec. 15. (a) The sheriff shall collect a service of
4 process fee of ~~thirteen~~ **twenty-five** dollars (~~\$13~~) (**\$25**) from a party
5 requesting service of a writ, an order, a process, a notice, a tax warrant,
6 or any other paper completed by the sheriff. A service of process fee
7 collected under this subsection may be collected only one (1) time per
8 case for the duration of the case. **However, a sheriff may collect an**
9 **additional service of process fee of twenty-five dollars (\$25) per**
10 **case for any postjudgment service.**
11 (b) The sheriff shall collect from the person who filed the civil
12 action a service of process fee of sixty dollars (\$60), in addition to any
13 other fee for service of process, if:
14 (1) a person files a civil action outside Indiana; and
15 (2) a sheriff in Indiana is requested to perform a service of
16 process associated with the civil action in Indiana.

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1 (c) A sheriff shall transfer fees collected under this section to the
2 county auditor of the county in which the sheriff has jurisdiction.

3 (d) The county auditor shall deposit fees collected under this
4 section:

5 (1) in the pension trust established by the county under
6 IC 36-8-10-12; or

7 (2) if the county has not established a pension trust under
8 IC 36-8-10-12, in the county general fund.



COMMITTEE REPORT

Madam President: The Senate Committee on Judiciary, to which was referred Senate Bill No. 217, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill be AMENDED as follows:

Page 1, line 6, reset in roman "A service of process fee".

Page 1, reset in roman lines 7 through 8.

Page 1, line 8, after "case." insert "**However, a sheriff may collect an additional service of process fee for any postjudgment service.**".

and when so amended that said bill do pass.

(Reference is to SB 217 as introduced.)

STEELE, Chairperson

Committee Vote: Yeas 7, Nays 2.

COMMITTEE REPORT

Mr. Speaker: Your Committee on Judiciary, to which was referred Senate Bill 217, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill do pass.

(Reference is to SB 217 as printed January 16, 2015.)

STEUERWALD

Committee Vote: Yeas 11, Nays 0



COMMITTEE REPORT

Mr. Speaker: Your Committee on Ways and Means, to which was referred Engrossed Senate Bill 217, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill be amended as follows:

Page 1, line 9, after "fee" insert "**of twenty-five dollars (\$25) per case**".

and when so amended that said bill do pass.

(Reference is to ESB 217 as printed March 24, 2015.)

BROWN T

Committee Vote: yeas 24, nays 0.

