



Reprinted
February 28, 2017

SENATE BILL No. 532

DIGEST OF SB 532 (Updated February 27, 2017 5:04 pm - DI 128)

Citations Affected: IC 33-37.

Synopsis: Service of process fees. Reduces the service of process fee from \$25 to \$13. Deletes a prohibition on collection of service of process fees more than one time in a case. Provides that the sheriff shall collect a service of process fee each time the sheriff serves a document completed by the sheriff.

Effective: July 1, 2017.

Boots, Randolph Lonnie M

January 17, 2017, read first time and referred to Committee on Civil Law.
February 13, 2017, reported favorably — Do Pass; reassigned to Committee on Tax and Fiscal Policy.
February 23, 2017, reported favorably — Do Pass.
February 27, 2017, read second time, amended, ordered engrossed.

SB 532—LS 6476/DI 129



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First Regular Session 120th General Assembly (2017)

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 2016 Regular Session of the General Assembly.

SENATE BILL No. 532

A BILL FOR AN ACT to amend the Indiana Code concerning local government.

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.165-2015,
2 SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
3 JULY 1, 2017]: Sec. 15. (a) The sheriff shall collect a service of
4 process fee of ~~twenty-five dollars (\$25)~~ **thirteen dollars (\$13)** from a
5 party requesting service of a writ, an order, a process, a notice, a tax
6 warrant, or any other paper completed by the sheriff. ~~A service of~~
7 ~~process fee collected under this subsection may be collected only one~~
8 ~~(1)~~ ~~time per case for the duration of the case.~~ ~~A service of process fee~~
9 ~~collected under this subsection shall be collected each time the~~
10 ~~sheriff serves a document completed by the sheriff.~~ However, A
11 sheriff may collect an additional service of process fee of twenty-five
12 dollars (\$25) per case for any postjudgment service.

13 (b) The sheriff shall collect from the person who filed the civil
14 action a service of process fee of sixty dollars (\$60), in addition to any
15 other fee for service of process, if:

16 (1) a person files a civil action outside Indiana; and
17 (2) a sheriff in Indiana is requested to perform a service of

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1 process associated with the civil action in Indiana.

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

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

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

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



COMMITTEE REPORT

Madam President: The Senate Committee on Civil Law, to which was referred Senate Bill No. 532, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill DO PASS and be reassigned to the Senate Committee on Tax and Fiscal Policy.

(Reference is to SB 532 as introduced.)

HEAD, Chairperson

Committee Vote: Yeas 8, Nays 0

COMMITTEE REPORT

Madam President: The Senate Committee on Tax and Fiscal Policy, to which was referred Senate Bill No. 532, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill DO PASS.

(Reference is to SB 532 as printed February 14, 2017.)

HERSHMAN, Chairperson

Committee Vote: Yeas 11, Nays 0

SENATE MOTION

Madam President: I move that Senate Bill 532 be amended to read as follows:

Page 1, line 8, after "the case." insert "**A service of process fee collected under this subsection shall be collected each time the sheriff serves a document completed by the sheriff.**".

Page 1, line 8, strike "However,".

Page 1, line 8, delete "a" and insert "A".

(Reference is to SB 532 as printed February 24, 2017.)

BOOTS

