

*Baudler, Chair-
Hildredyke
Krumm*

Succeeded
S/H

HSB 610

JUDICIARY

HOUSE FILE _____
BY (PROPOSED COMMITTEE ON
JUDICIARY BILL BY
CHAIRPERSON LARSON)

Passed House, Date _____ Passed Senate, Date _____
Vote: Ayes _____ Nays _____ Vote: Ayes _____ Nays _____
Approved _____

A BILL FOR

1 An Act authorizing sheriffs to appoint civil process servers.
2 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

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LSB 610

S.F. _____ H.F. _____

- 1 Section 1. Section 331.652, Code 2001, is amended by
 2 adding the following new subsection:
 3 NEW SUBSECTION. 7A. The sheriff may appoint one or more
 4 civil process servers, subject to the provisions of section
 5 331.903.
- 6 a. A person appointed by the sheriff as a civil process
 7 server may, under the direction of the sheriff, execute and
 8 return all writs and other legal process issued to the sheriff
 9 by legal authority.
- 10 b. The court shall take judicial notice of a civil process
 11 server's signature.
- 12 c. All costs for service of writs and other legal process
 13 by a civil process server shall be collected in accordance
 14 with the provisions of section 331.655.
- 15 d. Civil process servers shall not be considered to be a
 16 sheriff or a deputy sheriff for purposes of this chapter, or
 17 chapter 97B or 341A.
- 18 e. A civil process server shall receive forty hours of
 19 initial training and twenty hours of annual training. All
 20 training shall be provided by certified peace officers who are
 21 members of the Iowa state sheriffs' and deputies' association.

22 EXPLANATION

23 This bill authorizes sheriffs to appoint civil process
 24 servers to execute and return writs and other legal process
 25 issued to the sheriff by legal authority. The bill provides
 26 that the court shall take judicial notice of a civil process
 27 server's signature, and that the civil process server's fees
 28 shall be collected as provided in Code section 331.655. The
 29 bill further excepts civil process servers from sheriff or
 30 deputy sheriff status for purposes of chapter 97B, 331, or
 31 341A. The bill also provides that a civil process server
 32 shall receive 40 hours of initial training and 20 hours of
 33 annual training by certified peace officers who are members of
 34 the Iowa state sheriffs' and deputies' association.

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Substituted for by SF 2141

3-6-02

(p. 646)

FEB 15 2002

Place On Calendar

HOUSE FILE 2366

BY COMMITTEE ON JUDICIARY

WITHDRAWN

SUCCESSOR TO HSB 610)

3-6-02

Passed House, Date _____ Passed Senate, Date _____

Vote: Ayes _____ Nays _____ Vote: Ayes _____ Nays _____

Approved _____

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HF 2366

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4 civil process servers, subject to the provisions of section
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7 server may, under the direction of the sheriff, execute and
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14 with the provisions of section 331.655.
15 d. Civil process servers shall not be considered to be a
16 sheriff or a deputy sheriff for purposes of this chapter, or
17 chapter 97B or 341A.

18 EXPLANATION

19 This bill authorizes sheriffs to appoint civil process
20 servers to execute and return writs and other legal process
21 issued to the sheriff by legal authority. The bill provides
22 that the court shall take judicial notice of a civil process
23 server's signature, and that the civil process server's fees
24 shall be collected as provided in Code section 331.655. The
25 bill further excepts civil process servers from sheriff or
26 deputy sheriff status for purposes of chapter 97B, 331, or
27 341A.

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HOUSE FILE 2366

H-8060

- 1 Amend House File 2366 as follows:
- 2 1. Page 1, line 7, by inserting after the word
- 3 "sheriff" the following: "and only on county
- 4 property, excluding the county courthouse and the
- 5 sheriff's office".

By BAUDLER of Adair

H-8060 FILED FEBRUARY 18, 2002

W/D
3-6-02 (p. 645)

HOUSE FILE 2366

H-8068

- 1 Amend House File 2366 as follows:
- 2 1. Page 1, line 7, by inserting after the word
- 3 "sheriff" the following: "and only on county
- 4 property, including the county courthouse and the
- 5 sheriff's office".

By BAUDLER of Adair
KREIMAN of Davis

H-8068 FILED FEBRUARY 19, 2002

W/D
3-6-02 (p. 646)

HOUSE FILE 2366

H-8119

- 1 Amend House File 2366 as follows:
- 2 1. Page 1, by inserting after line 17 the
- 3 following:
- 4 "e. A civil process server shall receive forty
- 5 hours of initial training and twenty hours of annual
- 6 training. All training shall be provided by certified
- 7 peace officers who are members of the Iowa state
- 8 sheriffs' and deputies' association."

By BAUDLER of Adair

H-8119 FILED FEBRUARY 27, 2002

Adopted
3-6-02 (p. 646)
