

Angelo, King, Holbeck

SSB 3084
Judiciary

Succeeded By
SF HF 214

SENATE FILE _____
BY (PROPOSED COMMITTEE ON
JUDICIARY BILL BY
CHAIRPERSON MADDOX)

Passed Senate, Date _____ Passed House, 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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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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Substitutes for HF 2366
3-6-02
p. 646

FILED FEB 7 2002

SENATE FILE 2141
BY COMMITTEE ON JUDICIARY

(SUCCESSOR TO SSB 3084)

Passed Senate, Date 2/25/02 (p. 383) Passed House, Date 3-6-02 p. 647
Vote: Ayes 48 Nays 0 Vote: Ayes 93 Nays 0
Approved March 21, 2002

Re Passed 2-12-02
vote 46-0

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:

SENATE FILE 2141

H-8095

1 Amend Senate File 2141, as passed by the Senate, as
2 follows:
3 1. Page 1, by striking lines 18 through 21.
By BAUDLER of Adair

H-8095 FILED FEBRUARY 26, 2002

Adopted
3-6-02 p. 646

SF 2141

**HOUSE AMENDMENT TO
SENATE FILE 2141**

S-5131

1 Amend Senate File 2141, as passed by the Senate, as
2 follows:
3 1. Page 1, by striking lines 18 through 21.
RECEIVED FROM THE HOUSE

S-5131 FILED MARCH 6, 2002

Senate Concurred
3-12-02
(p. 581)

1 Section 1. Section 331.652, Code 2001, is amended by
2 adding the following new subsection:

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5 331.903.

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17 chapter 97B or 341A.

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27 server's signature, and that the civil process server's fees
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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.

35

d. Civil process servers shall not be considered to be a sheriff or a deputy sheriff for purposes of this chapter, or chapter 97B or 341A.

SENATE FILE 2141

AN ACT

AUTHORIZING SHERIFFS TO APPOINT CIVIL PROCESS SERVERS.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

Section 1. Section 331.652, Code 2001, is amended by adding the following new subsection:

NEW SUBSECTION. 7A. The sheriff may appoint one or more civil process servers, subject to the provisions of section 331.903.

a. A person appointed by the sheriff as a civil process server may, under the direction of the sheriff, execute and return all writs and other legal process issued to the sheriff by legal authority.

b. The court shall take judicial notice of a civil process server's signature.

c. All costs for service of writs and other legal process by a civil process server shall be collected in accordance with the provisions of section 331.655.

MARY E. KRAMER
President of the Senate

BRENT SIEGRIST
Speaker of the House

I hereby certify that this bill originated in the Senate and is known as Senate File 2141, Seventy-ninth General Assembly.

MICHAEL E. MARSHALL
Secretary of the Senate

Approved 3/21, 2002

THOMAS J. VILSACK
Governor