

House Study Bill 610

Bill Text

PAG LIN

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

EXPLANATION

1 23 This bill authorizes sheriffs to appoint civil process
1 24 servers to execute and return writs and other legal process
1 25 issued to the sheriff by legal authority. The bill provides
1 26 that the court shall take judicial notice of a civil process
1 27 server's signature, and that the civil process server's fees
1 28 shall be collected as provided in Code section 331.655. The
1 29 bill further excepts civil process servers from sheriff or
1 30 deputy sheriff status for purposes of chapter 97B, 331, or
1 31 341A. The bill also provides that a civil process server
1 32 shall receive 40 hours of initial training and 20 hours of
1 33 annual training by certified peace officers who are members of
1 34 the Iowa state sheriffs' and deputies' association.

1 35 LSB 5820HC 79

2 1 rh/sh/8