

SCS SBs 12 & 123 -- SERVICE OF COURT ORDERS

SPONSOR: Cunningham

COMMITTEE ACTION: Voted "Do Pass" by the Standing Committee on Judiciary by a vote of 11 to 3 with 1 Present. Voted "Do Pass" by the Standing Committee on Rules- Administrative Oversight by a vote of 6 to 3.

Currently, sheriffs receive \$10 for service of any summons, writ, subpoena, or other court order, and that money is paid into the county treasury to be paid to the State Treasurer. This bill specifies that other persons serving orders of court shall also pay \$10 of their fee into the deputy sheriff salary supplementation fund.

PROPOSERS: Supporters say that this bill is necessary for counties that cannot afford to pay their deputies more than they do. This helps deputies receive a livable wage. Every paper that is served to an individual means the deputies are doing something related to that service, such as protecting a courtroom. It does not mean sheriffs receive something for doing nothing. Only counties that receive money from the fund would be charging the additional \$10.

Testifying for the bill were Senator Cunningham; Michael Bonham, Osage County Sheriff's Office; and Kevin Merritt, Missouri Sheriff's Association.

OPPONENTS: Those who oppose the bill say that this is basically a tax on the private process serving companies. They charge a fee for a minimum of three attempts, whereas the sheriff charges for every attempt as well as for mileage, which private companies do not.

Testifying against the bill were Scott Walterbach, Missouri Creditors Bar Suite 100; and Michael Yoakum, Kryptonite Credit Servers, LLC.