SENATE BILL 64

Introduced by Doherty

1/02	Introduced Referred to Judiciary First Reading Fiscal Note Requested Fiscal Note Received Fiscal Note Printed Hearing Committee ReportBill Passed as Amended 2nd Reading Passed 3rd Reading Passed
1/18 1/18 1/22 1/27	Transmitted to House First Reading Referred to Judiciary Hearing Tabled in Committee

SB 0064/01

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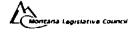
1	SENATE BILL NO. 64
2	INTRODUCED BY DOHERTY
3	
4	A BILL FOR AN ACT ENTITLED: "AN ACT EXEMPTING EMPLOYEES OF
5	ATTORNEYS FROM THE REGISTRATION REQUIREMENTS FOR PROCESS
6	SERVERS; AND AMENDING SECTION 25-1-1101, MCA."
7	
8	BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:
9	Section 1. Section 25-1-1101, MCA, is amended to read:
10	•25-1-1101. Registered process server levying
11	officer. (1) Any person who makes more than 10 services of
12	process, as defined in 25-3-101, within this state during 1
13	calendar year shall file a verified certificate of
14	registration as a process server with the clerk of the
15	district court of the county in which he the person resides
16	or has his <u>a</u> principal place of business.
17	(2) This part does not apply to:
18	(a) a sheriff, constable, coroner, elisor, or other
19	government employee who is acting in the course of his
20	employment; or
21	(b) a licensed attorney or the employee of a licensed

. .

22 attorney when acting in the course of employment.

23 (3) A registered process server may act as a levying
24 officer under Title 25, chapter 13."

-End-



SB64 INTRODUCED BILL

STATE OF MONTANA - FISCAL NOTE

Form BD-15

In compliance with a written request, there is hereby submitted a Fiscal Note for <u>_SB0064, as introduced</u>.

DESCRIPTION OF PROPOSED LEGISLATION:

This bill exempts employees of licensed attorneys from the registration requirements for process servers.

ASSUMPTIONS:

1. The bill has no fiscal impact on the state funded judiciary or district courts.

FISCAL IMPACT:

None.

EFFECT ON COUNTY OR OTHER LOCAL REVENUES OR EXPENDITURES: None.

DAVE LEWIS, BUDGET DIRECTOR DATE Office of Budget and Program Planning

DATE

5B64

STEVE DOHERTY, PRIMARY SPONSOR

Fiscal Note for <u>SB0064</u>, as introduced

53rd Legislature

SB 0064/02

APPROVED BY COMMITTEE ON JUDICIARY

1 SENATE BILL NO. 64 INTRODUCED BY DOHERTY 2 3 A BILL FOR AN ACT ENTITLED: "AN ACT EXEMPTING EMPLOYEES OF 4 5 ATTORNEYS FROM THE REGISTRATION REQUIREMENTS FOR PROCESS SERVERS WHEN SERVING PROCESS IN CASES IN WHICH THE EMPLOYING 6 ATTORNEY IS THE ATTORNEY OF RECORD; AND AMENDING SECTION 7 8 25-1-1101, MCA." 9 10 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA: 11 Section 1. Section 25-1-1101, MCA, is amended to read: 12 *25-1-1101. Registered process server -- levying 13 officer. (1) Any person who makes more than 10 services of 14 process, as defined in 25-3-101, within this state during 1 calendar year shall file a verified certificate of 15 registration as a process server with the clerk of the 16 17 district court of the county in which he the person resides 18 or has his a principal place of business. 19 (2) This part does not apply to: 20 (a) a sheriff, constable, coroner, elisor, or other 21 government employee who is acting in the course of his 22 employment; or 23 (b) a licensed attorney; or 24 (C) the employee of a licensed attorney when acting-in 25 the-course-of-employment SERVING PROCESS IN CASES IN WHICH

- 1 THE EMPLOYING ATTORNEY IS THE ATTORNEY OF RECORD.
- 2 (3) A registered process server may act as a levying
- 3 officer under Title 25, chapter 13."

-End-



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SB 0064/02

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SENATE BILL NO. 64

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-End-

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