



Senate Fiscal Agency
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Lansing, Michigan 48909-7536

BILL



ANALYSIS

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Senate Bill 1043 (Substitute S-2 as reported)
Sponsor: Senator Mike Nofs
Committee: Judiciary

CONTENT

The bill would amend the Revised Judicature Act to do the following:

- Increase process server fees by \$2, and require the fees to be increased by \$1 on October 1 in 2013, 2014, and 2015.
- Allow a process server to receive 7% of the first \$8,000, rather than the first \$5,000, of a payment or settlement amount or the receipts of a sale, in the case of property seized under an order.
- Establish a \$10 fee for each verification by a process server and each postal change of address verification requested by a plaintiff.
- Allow a fee for service of process to exceed the prescribed fee, if agreed to in advance by the process server and the person requesting service.
- Prohibit a person entitled to tax costs from recovering a fee for service of process that exceeded the prescribed fee.

MCL 600.2559

Legislative Analyst: Patrick Affholter

FISCAL IMPACT

The bill would have a limited indeterminate impact on State and local government. Process server fees are paid by litigants, with the fees going to those who serve papers or process. In cases in which a State or local government is a litigant, there would be minor costs due to the increased fees. County sheriffs sometimes provide process service and would see a minor increase in revenue from the fees.

Date Completed: 9-21-12

Fiscal Analyst: Steve Angelotti