

SERVICE OF PROCESS AMENDMENTS

1998 GENERAL SESSION

STATE OF UTAH

Sponsor: Susan J. Koehn

AN ACT RELATING TO JUDICIAL CODE; DELINEATING CIRCUMSTANCES WHEN A PRIVATE INVESTIGATOR MAY SERVE PROCESS.

This act affects sections of Utah Code Annotated 1953 as follows:

AMENDS:

78-27-58, as last amended by Chapter 225, Laws of Utah 1993

Be it enacted by the Legislature of the state of Utah:

Section 1. Section **78-27-58** is amended to read:

78-27-58. Service of judicial process by persons other than law enforcement officers.

[Persons] (1) Except as provided in Subsection (2), persons who are not peace officers, constables, sheriffs, or lawfully appointed deputies of such officers or authorized state investigators may not serve any forms of civil or criminal process other than complaints, summonses, and subpoenas.

(2) Private investigators, licensed in accordance with Title 53, Chapter 9, Private Investigator Regulation Act, may serve small claims affidavits and orders, motions and orders for supplemental proceedings, orders to show cause, writs of garnishment, notices to quit, and eviction notices.

Legislative Review Note

as of 11-20-97 9:32 AM

A limited legal review of this bill raises no obvious constitutional or statutory concerns.

Office of Legislative Research and General Counsel