

1st Sub. H.B. 235
PROCESS SERVER AMENDMENTS

Representative **Lee B. Perry** proposes the following amendments:

1. *Page 2, Lines 31 through 32:*

31 (2) [~~The~~] Except as provided in Subsection {~~(4)~~} (5), the following persons may serve all
32 process issued by the courts of this state:

2. *Page 2, Lines 38 through 55:*

38 (d) an investigator employed by the state and authorized by law to serve civil
39 process[~~;~~]; and

(e) a private investigator licensed in accordance with Title 53, Chapter 9, Private Investigator Regulation Act.

40 {+} (3) Private investigators licensed in accordance with Title 53, Chapter 9, Private
41 Investigator Regulation Act {~~may serve all forms of process in a civil proceeding, including~~
42 ~~bench warrants, however private investigators~~} may not arrest anyone pursuant to a bench
43 warrant].

44 {+(a)} While serving process, a private investigator shall:]

45 [{+(i)} (a) have on the investigator's person a visible form of credentials and identification
46 identifying:]

47 [{+(A)} (i) the person by name;]

48 [{+(B)} (ii) the person as a licensed private investigator; and]

49 [{+(C)} (iii) the name and address of the agency employing the investigator or, if the
50 investigator is self-employed, the address of the investigator's place of business;]

51 [{+(ii)} (b) verbally communicate to the person being served that the investigator is acting
as a

52 process server; and]

53 [{+(iii)} (c) print on the first page of each document served:]

54 [{+(A)} (i) the investigator's name and identification as a private investigator; and]

55 [{+(B)} (ii) the address and phone number for the investigator's place of business. {+}

3. *Page 3, Lines 63 through 65*

House Committee Amendments

2-14-2013:

63 {~~(e) a private investigator licensed in accordance with Title 53, Chapter 9, Private~~
64 ~~Investigator Regulation Act.~~}

65 ~~{(3)}~~ (4) Any service under this section where breach of the peace is authorized on the face

4. *Page 3, Line 70*

House Committee Amendments

2-14-2013:

70 ~~{(4)}~~ (5) The following persons may not serve process issued by the courts:

5. *Page 3, Line 74*

House Committee Amendments

2-14-2013:

74 ~~{(5)}~~ (6) A person serving process shall: