

SENATE BILL SUMMARY

Prepared by the Division of Legislative Information for the Senate Bill **AS ORIGINALLY FILED**. For more detail, see Senate Bill Analyses, if available, prepared by the Senate's professional committee staff.

SB 1730 Service of Process by Senator Oelrich

Provides that criminal witness subpoenas and criminal summonses may be served by a special process server appointed by the local sheriff or by a certified process server. Provides that all unsatisfied executions in the possession of the sheriff docketed before October 1, 2001, or 20 years after the date of the issuance of final judgment, may be returned to the issuing court. Requires the submission of an affidavit before levying a judgment upon real property. Requires the sheriff to furnish to the judgment debtor or the debtor's attorney of record a copy of the notice of sale, notice of levy, and affidavit within a specified time period before execution of a sale or levy. Requires that priority of liens on real property be based on the effective date of the judgment lien. Requires a levying creditor to deliver to the sheriff at the time of the levy request an affidavit setting forth certain information and attestations. Authorizes clerks of court to transmit facsimile copies of previously certified injunctions for protection relating to domestic violence or sexual abuse to sheriffs upon request. Requires sheriffs to verify receipt of facsimile copies of such injunctions with clerks of court before attempting service. Authorizes law enforcement officers to serve facsimile copies of such injunctions in the same manner as certified copies. (See bill for details)