



To: House Judiciary Committee

From: Nathan Eberline – Associate Legislative Director & Legal Counsel

Date: March 7, 2012

Re: Senate Substitute for SB 283

The Kansas Association of Counties recognizes the time and effort required of the county sheriffs in serving and returning service of process. We understand that the fees contained in the current law do not cover those expenses, and the new language would help reach the actual cost of serving process.

The original SB 283 raised concerns for counties, particularly the exemption clause and the prospect that tax foreclosures would fall under the definition of “debt collection” as an added cost for counties. Because the fees would be paid by the county to the firm collecting the debt, who then paid the fees to the sheriff, the new provision equated to stealing from Peter to pay Paul. That said, the amendments provided by the Senate have made Senate Substitute for SB 283 legislation that KAC fully supports.

We ask that this Committee pass the Senate Substitute for SB 283 to help streamline the law and to ensure that sheriffs are not losing funds with each service of process. Thank you for your consideration.

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