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HOUSE FLOOR AMENDMENTS

2019 Regular Session

Amendments proposed by Representative Coussan to Engrossed House Bill No. 512 by Representative Cox

1 AMENDMENT NO. 1

2 On page 1, delete lines 14 through 19 in their entirety and insert the following:

3 "(1) For making service or attempted service and return of citation
4 with or without petition on each defendant, a minimum of ten dollars and a
5 maximum of thirty dollars.

6 (2) For making service or attempted service and return of
7 supplemental or amended petition with or without accompanying citation, a
8 minimum of ten dollars and a maximum of thirty dollars.

9 AMENDMENT NO. 2

10 On page 2, delete lines 1 through 15 in their entirety and insert the following:

11 "(3) For making service or attempted service of interrogatories and
12 notice of cross interrogatories, a minimum of ten dollars and a maximum of
13 thirty dollars.

14 (4) For making service or attempted service and return of garnishment
15 under writ of fieri facias, a minimum of twenty-eight dollars and fifty cents
16 and a maximum of thirty dollars.

17 (5) For making service or attempted service and return of writ of
18 attachment on each witness, a minimum of nine dollars and fifty cents and
19 a maximum of thirty dollars.

20 (6) For executing writ of sequestration, provisional seizures, or
21 distringas, in each case, a minimum of twelve dollars and fifty cents and a
22 maximum of thirty dollars. For service of each notice to defendant and return
23 thereon in connection with execution of any of the writs covered by this
24 Paragraph, a minimum of ten dollars and a maximum of thirty dollars."

25 AMENDMENT NO. 3

26 On page 2, delete lines 17 through 28 in their entirety and insert the following:

27 "(8) For making service or attempted service and return of notice of
28 judgment, a minimum of ten dollars and a maximum of thirty dollars.

29 (9) For making service or attempted service and return of citation and
30 petition of appeal and order, a minimum of ten dollars and a maximum of
31 thirty dollars.

32 (10) For return of fieri facias, a minimum of ten dollars and a
33 maximum of thirty dollars.

34 (11) For making service or attempted service and return of citations
35 requiring personal service, a minimum of eleven dollars and fifty cents and
36 a maximum of thirty dollars, specifically rule nisi, subpoena, subpoena
37 duces tecum, judgment debtor."

1 AMENDMENT NO. 4

2 On page 3, delete lines 1 through 18 in their entirety and insert the following:

3 "(16) For service and making return of any rule, order of court, or
4 notice on any party to a suit or other proceeding, or after judgment rendered,
5 where return of service is made by the constable or marshal, including
6 service or notice of release of seizure, and other than those herein otherwise
7 provided for, a minimum of ten dollars and fifty cents and a maximum of
8 thirty dollars for each service; for service of a judgment debtor rule, a fee of
9 a minimum of eleven dollars and fifty cents and a maximum of thirty dollars.

10 (17) For service of subpoena on each witness and making return
11 thereof, a minimum of ten dollars and a maximum of thirty dollars.

12 (18) For service of attachment on a witness or for service on any
13 person for contempt of court to be brought into court and for return thereon,
14 a minimum of eleven dollars and fifty cents and a maximum of thirty dollars.

15 (19) For service of citation and petition of appeal for each party on
16 whom service is directed to be made and for making return thereof, a
17 minimum of ten dollars and a maximum of thirty dollars."

18 AMENDMENT NO. 5

19 On page 3, delete lines 20 through 28 in their entirety and insert the following:

20 "(21) For executing writ of arrest and making return thereon, a
21 minimum of eleven dollars and fifty cents and a maximum of thirty dollars.

22 (22) For serving writ of injunction, certiorari, mandamus, prohibition,
23 or notice of demand and making return thereon, in each case a minimum of
24 ten dollars and a maximum of thirty dollars.

25 (23) For executing writ of habeas corpus and making return thereon,
26 to be charged in civil cases only, a minimum of eleven dollars and fifty cents
27 and a maximum of thirty dollars."

28 AMENDMENT NO. 6

29 On page 4, delete lines 1 through 6 in their entirety and insert the following:

30 "(24) For serving notice of seizure and sale on one party and making
31 a copy for recordation in the mortgage records, when necessary or required,
32 and for making return for all, a minimum of fourteen dollars and fifty cents
33 and a maximum of thirty dollars. For service of each additional notice of
34 seizure and return, a minimum of ten dollars and a maximum of thirty
35 dollars."

36 AMENDMENT NO. 7

37 On page 4, delete lines 8 through 10 in their entirety and insert the following:

38 "(26) For preparing advertisement for newspapers, for each one
39 hundred words or part thereof, a minimum of eleven dollars and fifty cents
40 and a maximum of thirty dollars."

41 AMENDMENT NO. 8

42 On page 4, delete lines 12 through 24 in their entirety and insert the following:

43 "(29)(a) For executing writ of possession and writ of ejectment, a
44 minimum of ten dollars and a maximum of thirty dollars.

1 (b)(i) For service of each notice to vacate on defendant or occupants,
2 a minimum of ten dollars and a maximum of thirty dollars.

3 (ii) If the defendant or occupants do not vacate the premises named
4 in the writ upon service of notice to vacate and the marshal or constable is
5 required to do anything further to obtain possession, he shall be entitled to an
6 additional fee of a minimum of ten dollars and fifty cents and a maximum of
7 thirty dollars.

8 (c) Nothing herein shall be construed to bar the marshals or
9 constables from charging and collecting for cost of labor and other costs and
10 expenses actually paid or incurred by them in order to obtain possession of
11 the premises described in the writ."

12 AMENDMENT NO. 9

13 On page 4, line 26, after "B." insert the following:

14 "Sixty percent of any the funds collected in excess of the minimum
15 fees authorized by pursuant to Paragraphs (A)(1) through (12)(11) and
16 Paragraphs (A)(15) (16) through (30) (29) shall be deposited in the
17 equipment and training fund of this Section. shall be used to assist in funding
18 the purchase or updating of necessary equipment and officer training to carry
19 out the efficient performance of all duties imposed by law on constables and
20 marshals. These funds shall be deposited into an The money designated to
21 be deposited in the equipment and training fund shall be used to assist in the
22 purchasing or updating of necessary equipment and officer training to carry
23 out the efficient performance of all duties imposed by law on constables and
24 marshals. The equipment and training fund which shall be subject to and
25 included in the constables' and marshals' annual audit. A copy of the audit
26 shall be filed with the legislative auditor who shall make it available to the
27 public.

28 AMENDMENT NO. 10

29 On page 5, delete lines 1 through 7 in their entirety.