

AMENDMENTS TO LB 319

1 1. Strike original section 2 and insert the following
2 new section:

3 "Sec. 2. (1) Any person twenty-one years of age or older
4 or a corporation, partnership, or limited liability company that
5 satisfies the requirements of subsection (2) of this section shall
6 have the same power as a sheriff to execute any service of process
7 or order.

8 (2) Any person or entity may exercise the powers provided
9 in subsection (1) of this section if such person or entity (a) is
10 not a party to the action, (b) is not related to a party to the
11 action, (c) does not have an interest in the action, (d) is not a
12 public official employed by the county where service is made whose
13 duties include service of process, and (e) furnishes a good and
14 sufficient corporate surety bond in the sum of fifteen thousand
15 dollars, such bond being conditioned upon such person or entity
16 faithfully and truly performing the duties of process server.

17 (3) Evidence of the corporate surety bond shall be
18 provided to the clerk of each court in which such person or entity
19 executes service of process or orders. Such person or entity is
20 not required to furnish more than one bond to execute service of
21 process or orders in any state court in the State of Nebraska.
22 When service of process is made by such person or entity authorized
23 by this section, proof of such service of process shall be shown by
24 an affidavit.

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1 (4) The cost of service of process is taxable as a court
2 cost, and when service of process is made by such person or entity
3 other than a sheriff the cost taxable as a court cost is the lesser
4 of the actual amount incurred for service of process or orders or
5 the statutory fee set for sheriffs in section 33-117.".