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LB 319

committee amendments, Mr. President. (See AM0192 on page 620 of the Legislative Journal.)

SPEAKER KRISTENSEN: Senator Brashear, you're recognized to open.

SENATOR BRASHEAR: Mr. Speaker, members of the body, Legislative Bill 319, in short summary, would allow for private service of process. Process is when you are notified that an action has been commenced...a civil action has been commenced against you in a court of law in the state of Nebraska. LB 319 allows any person over age 21 or a corporation, partnership or limited liability company to act as a private process server provided that they meet certain qualifications. There must be a surety bond posted in the amount of \$15,000. The individual or entity must not be a party to the action. They have the same power as a sheriff to serve process. There are 41 states in the United States of America that allow this...a very similar or analogous procedure for private process serving. The costs are taxed as costs in the case. The amount would be limited to the lesser of the actual cost or the statutory rate set for sheriffs providing the same or similar service. I would urge the advancement of the bill. Thank you.

SPEAKER KRISTENSEN: Senator Brashear, you're recognized to open on the committee amendment.

SENATOR BRASHEAR: Mr. Speaker, members of the body, the amendments to LB 319 add...they toughen, improve the bill. They add three additional requirements. The person or entity must not be related to a party to the action. The person or entity must not have an interest in the action. And the individual must not be a public official employed by a county where service is made whose duties include the service of process; in other words, no double-dipping. I would urge the adoption of the amendment and the advancement of the bill. Thank you.

SPEAKER KRISTENSEN: Debate on the committee amendments. Senator Brashear, you're recognized to close on the committee amendments. He waives closing. The question before the body is the adoption of the committee amendments. All those in favor vote aye; all those opposed vote nay. Please record.