

TENNESSEE GENERAL ASSEMBLY
FISCAL REVIEW COMMITTEE



FISCAL MEMORANDUM

HB 393 - SB 456

March 3, 2019

SUMMARY OF ORIGINAL BILL: Changes the identifying information required to accompany a service of process for an action in general sessions court made by a sheriff or constable. Clarifies that failure to include the required contact information of a process server will not invalidate the effectiveness of service.

FISCAL IMPACT OF ORIGINAL BILL:

NOT SIGNIFICANT

SUMMARY OF AMENDMENT (004890): Deletes and replaces all language after the enacting clause such that the only substantive change is to clarify that the court may require a private process server to provide the private process server's mailing or physical address to the party on whom the process was served. Extends the effective date to January 1, 2020.

FISCAL IMPACT OF BILL WITH PROPOSED AMENDMENT:

Unchanged from the original fiscal note.

Assumptions for the bill as amended:

- Pursuant to Tenn. Code Ann. § 16-15-901(b), a process server of an action in general sessions court is required to be identified by name and address on the return.
- This legislation requires service of process made by a sheriff or constable be identified by name and agency.
- Any impact to local government resulting from altering the required information placed on service returns is estimated to be not significant.

CERTIFICATION:

The information contained herein is true and correct to the best of my knowledge.

A handwritten signature in black ink that reads "Krista Lee Carsner".

Krista Lee Carsner, Executive Director

/amj

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