

2 SHB 2370 - S COMM AMD

3 By Committee on Law & Justice

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5 Strike everything after the enacting clause and insert the
6 following:

7 "NEW SECTION. Sec. 1. (1) A person who serves legal process
8 for a fee in the state of Washington shall register as a process server
9 with the auditor of the county in which the process server resides or
10 operates his or her principal place of business.

11 (2) The requirement to register under subsection (1) of this
12 section does not apply to any of the following persons:

13 (a) A sheriff, deputy sheriff, marshall, constable, or government
14 employee who is acting in the course of employment;

15 (b) An attorney or the attorney's employees, who are not serving
16 process on a fee basis;

17 (c) A person who is court appointed to serve the court's process;

18 (d) An employee of a person who is registered under this section;

19 (e) A person who does not receive a fee or wage for serving
20 process."

21 "NEW SECTION. Sec. 2. A new section is added to chapter 36.22 RCW
22 to read as follows:

23 (1) Each county auditor shall develop a registration process to
24 register process servers required to register under section 1 of this
25 act.

26 (2) The county auditor may collect an annual registration fee from
27 the process server not to exceed ten dollars.

1 (3) The office of the administrator for the courts shall develop a
2 registration form for the county auditors to use in the registration
3 process for the purpose of identifying and locating the registrant,
4 including the process server's name, birthdate, and social security
5 number, and the process server's business name, business address, and
6 business telephone number.

7 (4) The county auditor shall maintain a register of process servers
8 and assign a number to each registrant. Upon renewal of the
9 registration as required in section 3 of this act, the auditor shall
10 continue to assign the same registration number. A successor entity
11 composed of one or more registrants shall be permitted to transfer one
12 or more registration numbers to the new entity."

13 "NEW SECTION. Sec. 3. A process server required to register
14 under section 1 of this act must renew the registration within one year
15 of the date of the initial registration or when the registrant changes
16 his or her name, the name of his or her business, business address, or
17 business telephone number, whichever occurs sooner. If the renewal is
18 required because of a change in the information identifying the process
19 server, the process server must renew the registration within ten days
20 of the date the identifying information changes. The process server
21 shall pay the registration fee upon renewal."

22 "NEW SECTION. Sec. 4. (1) A process server required to
23 register under section 1 of this act shall indicate the process
24 server's registration number and the process server's county of
25 registration on any proof of service the process server signs.

26 (2) Employees of a process server required to register under
27 section 1 of this act shall indicate the employer's registration number

1 and the employer's county of registration on any proof of service the
2 registrant's employee signs."

3 "NEW SECTION. **Sec. 5.** (1) Except as provided in subsection (2)
4 of this section, any person who is otherwise entitled to collect the
5 costs of service of process shall not be entitled to collect those
6 costs if the person does not use a process server who under this
7 chapter either is required to register or is exempt from the
8 registration requirement.

9 (2) The person may collect the costs of the service of process if
10 the process server registers within forty-five days after serving the
11 process.

12 (3) This section shall apply to all process served on or after
13 August 1, 1992."

14 "NEW SECTION. **Sec. 6.** Sections 1 and 3 through 5 of this act
15 shall constitute a new chapter in Title 18 RCW."

16 "NEW SECTION. **Sec. 7.** Nothing in this act modifies Superior
17 Court Civil Rule 4."

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21 On page 1, line 1 of the title, after "servers;" strike the
22 remainder of the title and insert "adding a new chapter to Title 18
23 RCW; adding a new section to chapter 36.22 RCW; and creating a new
24 section."