



TO: Senate Judiciary Committee

FROM: Sandy Jacquot, Director of Law/General Counsel

DATE: January 25, 2012

RE: SB 283

Thank you for allowing the League of Kansas Municipalities to testify in opposition to SB 283. First, LKM does not have a position the amount of the service of process fee, but we believe that taking away the exemption for municipalities is an overreach on the part of the sheriffs. Service of process has traditionally been a duty of the county sheriff. As a matter of policy, city taxpayers are also county taxpayers, so requiring an additional payment when the city is attempting to collect on a debt, results in our citizens paying twice. It essentially is taking it out of one pocket to put it in another pocket.

LKM understands that the volume of collections has risen over the years, burdening sheriffs' departments across the state and that removing the exemption in SB 283 is an attempt to get at collections undertaken by a third party. In the case of municipal court delinquencies, the city may, by law, pass the cost of collection on to the delinquent defendant, but for other collections, this will ultimately cost the city. We further understand that the sheriffs will offer an amendment to allow cities and counties to continue the exemption, which has been in the law for many years. If that amendment is adopted, LKM will withdraw its opposition to SB 283.

I will be available to answer any questions the committee may have. Thank you again for allowing the League of Kansas Municipalities to testify in opposition to SB 283.