

COMMITTEE ON LEGISLATIVE RESEARCH  
OVERSIGHT DIVISION

**FISCAL NOTE**

L.R. No.: 1373-02  
Bill No.: SCS for SBs 420 & 344  
Subject: Civil Procedure; Courts  
Type: Original  
Date: March 15, 2005

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**FISCAL SUMMARY**

<b>ESTIMATED NET EFFECT ON GENERAL REVENUE FUND</b>			
<b>FUND AFFECTED</b>	<b>FY 2006</b>	<b>FY 2007</b>	<b>FY 2008</b>
<b>Total Estimated Net Effect on General Revenue Fund</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>

<b>ESTIMATED NET EFFECT ON OTHER STATE FUNDS</b>			
<b>FUND AFFECTED</b>	<b>FY 2006</b>	<b>FY 2007</b>	<b>FY 2008</b>
<b>Total Estimated Net Effect on <u>Other</u> State Funds</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>

Numbers within parentheses: ( ) indicate costs or losses.

This fiscal note contains 4 pages.

<b>ESTIMATED NET EFFECT ON FEDERAL FUNDS</b>			
<b>FUND AFFECTED</b>	<b>FY 2006</b>	<b>FY 2007</b>	<b>FY 2008</b>
<b>Total Estimated Net Effect on <u>All</u> Federal Funds</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>

<b>ESTIMATED NET EFFECT ON LOCAL FUNDS</b>			
<b>FUND AFFECTED</b>	<b>FY 2006</b>	<b>FY 2007</b>	<b>FY 2008</b>
<b>Local Government</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>

**FISCAL ANALYSIS**

**ASSUMPTION**

Officials from the **Office of State Courts Administrator** assume the proposed legislation would have no fiscal impact on the courts.

Officials from the **Boone County Sheriff's Department** assume the proposal would have no fiscal impact on their agency.

**Officials from the Greene County Sheriff's Department, Jackson County Sheriff's Department, and St. Louis County Sheriff's Department did not respond to Oversight's request for fiscal impact.**

<u>FISCAL IMPACT - State Government</u>	FY 2006 (10 Mo.)	FY 2007	FY 2008
	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>
<u>FISCAL IMPACT - Local Government</u>	FY 2006 (10 Mo.)	FY 2007	FY 2008
	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>

FISCAL IMPACT - Small Business

No direct fiscal impact to small businesses would be expected as a result of this proposal.

DESCRIPTION

Currently, Section 534.090, RSMo, concerning service of summons for unlawful detainer, provides that if a summons in such an action cannot be served in an ordinary manner, the judge, at the request of the plaintiff, must order notices be posted in certain locations and that the summons be delivered by certified mail to the defendant's last known address.

The proposed legislation would allow the judge to order the summons to be delivered by ordinary mail. If the officer states that the defendant cannot be found, or has left his or her usual place of abode, and if proof is made by affidavit of the posting, and of the mailing of a copy of the summons and complaint, the judge would proceed to hear the case as if there had been personal service.

This legislation is not federally mandated, would not duplicate any other program and would not require additional capital improvements or rental space.

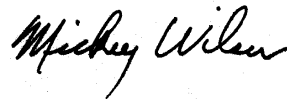
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SOURCES OF INFORMATION

Office of State Courts Administrator  
Boone County Sheriff's Department

NOT RESPONDING

**Greene County Sheriff's Department**  
**Jackson County Sheriff's Department**  
**St. Louis County Sheriff's Department**



Mickey Wilson, CPA  
Director  
March 15, 2005