

COMMITTEE ON LEGISLATIVE RESEARCH
OVERSIGHT DIVISION

FISCAL NOTE

L.R. No.: 3636-01
Bill No.: Perfected SB 804
Subject: Civil Procedure; Courts; Insurance - Automobile; Motor Vehicles; Roads and
Highways
Type: Original
Date: March 29, 2006

FISCAL SUMMARY

ESTIMATED NET EFFECT ON GENERAL REVENUE FUND			
FUND AFFECTED	FY 2007	FY 2008	FY 2009
Total Estimated Net Effect on General Revenue Fund	\$0	\$0	\$0

ESTIMATED NET EFFECT ON OTHER STATE FUNDS			
FUND AFFECTED	FY 2007	FY 2008	FY 2009
Total Estimated Net Effect on <u>Other</u> State Funds	\$0	\$0	\$0

Numbers within parentheses: () indicate costs or losses.
This fiscal note contains 4 pages.

ESTIMATED NET EFFECT ON FEDERAL FUNDS			
FUND AFFECTED	FY 2007	FY 2008	FY 2009
Total Estimated Net Effect on <u>All</u> Federal Funds	\$0	\$0	\$0

ESTIMATED NET EFFECT ON LOCAL FUNDS			
FUND AFFECTED	FY 2007	FY 2008	FY 2009
Local Government	\$0	\$0	\$0

FISCAL ANALYSIS

ASSUMPTION

Officials from the **Office of Attorney General, Department of Insurance and Office of State Courts Administrator** assume the proposal will have no fiscal impact on their organizations.

<u>FISCAL IMPACT - State Government</u>	FY 2007 (10 Mo.)	FY 2008	FY 2009
	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>

<u>FISCAL IMPACT - Local Government</u>	FY 2007 (10 Mo.)	FY 2008	FY 2009
	<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

This proposal provides that in any court proceeding arising from injury to person or property caused by a resident's use of any motor vehicle or trailer, if the plaintiff alleges that the defendant cannot be served personally in the manner prescribed by law, then the court shall order that the summons and petition be served upon any insurance company through which the defendant maintains an automobile insurance policy.

The plaintiff, either in a verified petition or in an affidavit, must describe at least one prior attempt to personally service the defendant, including the date, time, place and manner by which service was attempted. The plaintiff must also provide the defendant's last known address, and the address and name of the insurance company through which the defendant maintains an automobile insurance policy.

The summons and petition shall be served upon the insurance company in the same manner as on any domestic or foreign corporation, as provided by this section. The summons and petition shall also be mailed to the defendant at his or her last known address.

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

SOURCES OF INFORMATION

Office of Attorney General
Office of State Courts Administrator
Department of Insurance



Mickey Wilson, CPA
Director

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