

BILL SUMMARY
2nd Session of the 52nd Legislature

Bill No.:	SB1073
Version:	CCS
Author:	Representative Sullivan Senator Crain
Date:	5/24/2010
Impact:	\$0

Bill Summary

Research Analyst: Dante Giancola

The conference committee substitute for SB1073 removes the proposed \$45.00 filing fee for any counterclaims for amounts less than \$1500.

SB1073 makes amendments to statutes related to civil procedure. These include:

- Adds language stating that in any civil action to recover unpaid fees, fines, costs, etc, owed to the state or its agencies, the prevailing party shall be allowed a reasonable attorney fee to be set by the court, taxed, and collected as costs;
- Adds language stating that a noncontinuing earnings garnishment may be suspended or modified by the judgment creditor upon agreement with the judgment debtor
- Increases from \$75 to \$100, the attorney fee for an attorney representing a judgment creditor. This fee shall apply to each order or subpoena to appear, citation for failure to obey an order or subpoena to appear, and discovery request
- Requiring a judge, at any time after a final judgment, order, or decree is filed on application of the judgment creditor, to issue an order authorizing OESC to release to the judgment creditor any employment information maintained by the Commission concerning the judgment debtor if such authority was not granted in the judgment. The judgment creditor shall be entitled to any costs paid to the Commission.

Fiscal Summary

Fiscal Analyst: Marilyn Anderson

The CCS for SB1073 revises procedures relating to judgments in civil actions.

Fiscal Analysis

The CCS for SB1073 has no significant fiscal impact.

Long Term Fiscal Considerations

None

Fiscal Analysis Reviewed By:

Janice Buchanan

House Fiscal Director