

HB 87

RELATING TO PUBLIC SAFETY

Shields process servers from prosecution under criminal trespass statutes when performing their duties.

PSM, JDL

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GOVERNOR



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TESTIMONY ON HOUSE BILL 87
RELATING TO PUBLIC SAFETY

By

Nolan P. Espinda, Director
Department of Public Safety

Senate Committee on Public Safety, Intergovernmental and Military Affairs
Senator Will Espero, Chair
Senator Rosalyn H. Baker, Vice Chair

Tuesday, March 17, 2015, 1:45 PM
State Capitol, Conference Room 229

Chair Espero, Vice Chair Baker, and Members of the Committee:

The Department of Public Safety (PSD) **supports** House Bill (HB) 87 which would shield process servers from prosecution under criminal trespass statutes when making a good faith effort to perform their duties. Occasionally, respondents in a property dispute will try to prevent or delay legal service by posting "No Trespassing" signs on property which is the subject of a court ordered action. In some instances, the property is not bordered by a physical barrier, e.g., a fence or a locked gate. This proposed change to the existing trespass statute would protect the civil process server from being subject to a criminal charge when attempting to serve the legal judgment.

Thank you for the opportunity to present this testimony.