

ASSEMBLY BILL

No. 1720

Introduced by Assembly Member Torres

February 16, 2012

An act to amend Section 415.21 of the Code of Civil Procedure, relating to civil procedure.

LEGISLATIVE COUNSEL'S DIGEST

AB 1720, as introduced, Torres. Service of process: private investigators.

Existing law requires a person to be granted access to a gated community for a reasonable period of time for the purpose of performing lawful service of process or service of a subpoena, upon identifying to the guard the person or persons to be served, and upon displaying a current driver's license or other identification and specified documentation to show the individual is either acting as a representative of a county sheriff or marshal or is a registered process server.

This bill would also require a person to be granted access to a gated community for service of process, under the circumstances described above, upon displaying evidence of licensure as a private investigator.

Vote: majority. Appropriation: no. Fiscal committee: no. State-mandated local program: no.

The people of the State of California do enact as follows:

- 1 SECTION 1. Section 415.21 of the Code of Civil Procedure
- 2 is amended to read:
- 3 415.21. (a) Notwithstanding any other provision of law, any
- 4 person shall be granted access to a gated community for a

1 reasonable period of time for the purpose of performing lawful
2 service of process or service of a subpoena, upon identifying to
3 the guard the person or persons to be served, and upon displaying
4 a current driver's license or other identification, and one of the
5 following:

6 (1) A badge or other confirmation that the individual is acting
7 in his or her capacity as a representative of a county sheriff or
8 marshal.

9 (2) Evidence of current registration as a process server pursuant
10 to Chapter 16 (commencing with Section 22350) of Division 8 of
11 the Business and Professions Code *or of licensure as a private*
12 *investigator pursuant to Chapter 11.3 (commencing with Section*
13 *7512) of Division 3 of the Business and Professions Code.*

14 (b) This section shall only apply to a gated community that is
15 staffed at the time service of process is attempted by a guard or
16 other security personnel assigned to control access to the
17 community.