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MEMORANDUM

To: Senate Committee on Judiciary
From: Jenna Moyer, Assistant Revisor of Statutes
Date: January 31, 2018
Subject: SB288 – Repealing the prohibition on Saturday process service.

SB 288 repeals K.S.A. 69-102. This statute prohibits service of process in civil suits on Saturdays, the violation of which is a misdemeanor.

69-101: No person whose religious faith and practice is to keep the seventh day of the week, commonly called Saturday, as a day set apart by divine command as the Sabbath of rest from labor and dedicated to the worship of God, shall be subject to perform military duty or to serve as a jurymen in a justice's court on that day, except that such person shall be subject to perform military duty at any time in case of insurrection, invasion, or time of war.

History: L. 1864, ch. 98, § 1; July 1; G.S. 1868, ch. 90, § 1; R.S. 1923, 69-101.

69-102: Any person who shall knowingly cause or procure any process issued from a justice's court in a civil suit to be served on that day upon any such person, or who shall serve any such process made returnable on that day, shall be deemed guilty of a misdemeanor, and upon conviction thereof shall be subject to a fine of one hundred dollars, or imprisonment in the county jail not exceeding thirty days, or both.

History: L. 1864, ch. 98, § 2; July 1; G.S. 1868, ch. 90, § 2; R.S. 1923, 69-102.