
The original instrument and the following digest, which constitutes no part of the legislative instrument, were prepared by Angela L. De Jean.

DIGEST

Murray (SB 222)

Present law (C.C.P. Arts. 592, 1067, 1201, 3955 and R.S. 13:5107) provides for the taking of certain action within 90 days after service of process.

Proposed law increases the time period to within 150 days for a defendant who has not filed or maintained notice with the secretary of state as required by law designating an agent for service of process.

Proposed law provides that a request for service interrupts the period in which service must be requested and does not commence to run until the sheriff or the officer charged with the duty of making the service makes his return to the issuing court, stating the efforts made by him to secure service and the reasons why he was unable to do so.

Proposed law also provides that if service of process was made by registered or certified mail, a request for service commences to run after the filing in the record of the registered or certified mail showing that it was enclosed in an envelope properly addressed to the defendant, with sufficient postage affixed, and the date it was deposited in the U. S. mail, to which shall be attached the return receipt of the defendant or that service cannot be made on the named party at the address provided.

Effective upon signature of the governor or lapse of time for gubernatorial action.

(Amends R.S. 13:5107(D) and C.C.P. Arts. 592(A)(1), 1067, and 1201(C); adds C.C.P. Arts. 592(A)(4) and (5) and 3955(D) and (E))