

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1993

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SENATE BILL 1336
Judiciary I Committee Substitute Adopted 6/15/94

Short Title: Service of Process.

(Public)

Sponsors:

Referred to:

May 25, 1994

A BILL TO BE ENTITLED

AN ACT TO ALLOW SERVICE OF PROCESS BY A PRIVATE PROCESS SERVER
WHEN PROCESS IS RETURNED UNEXECUTED.

The General Assembly of North Carolina enacts:

Section 1. G.S. 1A-1, Rule 4, is amended by adding a new subsection (h1) to read:

"(h1) Summons – When process returned unexecuted. – If a proper officer returns a summons or other process unexecuted, or if service pursuant to Rule 4(j)(1)c. is unsuccessful, the plaintiff or his agent or attorney may cause service to be made by anyone who is not less than 21 years of age and who is not a party to the action."

Sec. 2. This act becomes effective September 1, 1994, and applies to actions that are filed or have not reached final judgment on or after that date.