

SENATE BILL NO. 302

February 16, 1999, Introduced by Senator VAN REGENMORTER and referred to the Committee on Judiciary.

A bill to amend 1961 PA 236, entitled
"Revised judicature act of 1961,"
by amending section 5856 (MCL 600.5856), as amended by 1993 PA 78.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 5856. The statutes of limitations or repose are
2 tolled:

3 (a) At the time the complaint is filed and a copy of the
4 summons and complaint are served on the defendant.

5 (b) At the time jurisdiction over the defendant is otherwise
6 acquired.

7 (c) At the time the complaint is filed and a copy of the
8 summons and complaint in good faith are placed in the hands of an
9 officer for immediate service, but in this case the statute is

1 not tolled longer than 90 days after the copy of the summons and
2 complaint is received by the officer.

3 (d) If, during the applicable notice period under section
4 2912b, a claim would be barred by the statute of limitations or
5 repose, for not longer than a number of days equal to the number
6 of days in the applicable notice period after the date notice is
7 given in compliance with section 2912b.

8 (E) IF THE DEFENDANT AGAINST WHOM THE COMPLAINT WILL BE
9 FILED IS ALSO A DEFENDANT IN A CRIMINAL CASE PENDING IN A TRIAL
10 COURT OF THIS STATE, FOR 3 YEARS AFTER A JUDGMENT HAS BEEN
11 ENTERED IN THE CRIMINAL CASE.