

HOUSE BILL No. 4786

July 14, 2015, Introduced by Rep. Callton and referred to the Committee on Judiciary.

A bill to amend 1961 PA 236, entitled
"Revised judicature act of 1961,"
(MCL 600.101 to 600.9947) by adding section 1832.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 SEC. 1832. (1) AN INDIVIDUAL WHO IS IN CHARGE OF A BUSINESS
2 ESTABLISHMENT SHALL GRANT ENTRY INTO THE ESTABLISHMENT, OR
3 OTHERWISE MAKE EMPLOYEES, AGENTS, OR INVITEES OF THE ESTABLISHMENT
4 AVAILABLE, TO A PROCESS SERVER WHEN THE PROCESS SERVER IS AT THE
5 ESTABLISHMENT FOR THE PURPOSE OF SERVING PROCESS ON A DEFENDANT OR
6 WITNESS WHO IS KNOWN TO BE IN THE ESTABLISHMENT.

7 (2) A GATE ATTENDANT OR OTHER INDIVIDUAL WHO HAS THE AUTHORITY
8 TO DETERMINE WHO MAY ENTER A GATED RESIDENTIAL COMMUNITY SHALL
9 GRANT ENTRY INTO THE COMMUNITY, INCLUDING ITS COMMON AREAS AND
10 COMMON ELEMENTS, TO A PROCESS SERVER TO SERVE PROCESS ON A
11 DEFENDANT OR WITNESS WHO RESIDES IN OR IS KNOWN TO BE IN THE

1 COMMUNITY.

2 (3) AN INDIVIDUAL WHO VIOLATES THIS SECTION BY REFUSING ENTRY
3 TO A PROCESS SERVER OR WHO KNOWINGLY REFUSES TO ASSIST A PROCESS
4 SERVER BY FAILING OR REFUSING TO MAKE AN EMPLOYEE AVAILABLE FOR
5 SERVICE OF PROCESS DURING THE EMPLOYEE'S WORK HOURS IS GUILTY OF A
6 MISDEMEANOR PUNISHABLE BY IMPRISONMENT FOR NOT MORE THAN 93 DAYS OR
7 A FINE OF NOT MORE THAN \$500.00, OR BOTH.

8 (4) AS USED IN THIS SECTION:

9 (A) "BUSINESS ESTABLISHMENT" MEANS REAL PROPERTY BEING USED
10 FOR A COMMERCIAL OR INDUSTRIAL PURPOSE.

11 (B) "GATED RESIDENTIAL COMMUNITY" INCLUDES A CONDOMINIUM
12 ASSOCIATION, HOUSING COOPERATIVE, OR PRIVATE COMMUNITY.

13 (C) "PROCESS SERVER" MEANS A PERSON AUTHORIZED UNDER THIS ACT
14 OR SUPREME COURT RULE TO SERVE PROCESS.