

HOUSE BILL No. 4666

May 30, 2017, Introduced by Reps. Runestad, Hornberger, Hoitenga, Bellino, Lucido,
Barrett, VanderWall, Howell and Noble and referred to the Committee on Judiciary.

A bill to amend 1961 PA 236, entitled
"Revised judicature act of 1961,"
by amending section 1910 (MCL 600.1910), as amended by 1994 PA 403.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 1910. (1) Proof of service ~~shall~~ **OF PROCESS BY PERSONAL**
2 **SERVICE MAY** be made by 1 of the following methods:

3 (a) Written acknowledgment of **THE** receipt of a summons and a
4 copy of the complaint, dated and signed by the person **TO WHOM THE**
5 **SUMMONS IS DIRECTED OR BY A PERSON** authorized under ~~this act~~ **LAW** to
6 receive ~~them~~. **SERVICE OF THE SUMMONS AND COMPLAINT FOR THE PERSON TO**
7 **WHOM THE SUMMONS IS DIRECTED.**

8 (b) A certificate, stating the facts of service, ~~if service is~~
9 ~~made within the state of Michigan by:~~

1 ~~(i) A sheriff.~~
 2 ~~(ii) A deputy sheriff, medical examiner, bailiff, constable,~~
 3 ~~or a deputy of these officers if the officers held office in a~~
 4 ~~county in which the court issuing the process is held.~~
 5 ~~(c) An affidavit, stating the facts of service, if service is~~
 6 ~~made by any other person, and indicating his or her official~~
 7 ~~capacity, if any.~~ **INCLUDING THE MANNER, TIME, DATE, AND PLACE OF**
 8 **SERVICE, IF BOTH OF THE FOLLOWING APPLY:**

9 **(i) THE PLACE OF SERVICE IS DESCRIBED BY GIVING THE ADDRESS**
 10 **WHERE THE SERVICE WAS MADE OR, IF THE SERVICE WAS NOT MADE AT A**
 11 **PARTICULAR ADDRESS, BY ANOTHER DESCRIPTION OF THE LOCATION.**

12 **(ii) ONE OF THE FOLLOWING STATEMENTS IS SELECTED AS APPLICABLE**
 13 **BY, AND APPEARS IMMEDIATELY ABOVE THE SIGNATURE AND THE DATE OF THE**
 14 **SIGNATURE OF, THE INDIVIDUAL WHO MADE THE SERVICE:**

15 **(A) "I AM A LAW ENFORCEMENT OFFICER SERVING UNDER AN OATH OF**
 16 **OFFICE AND DECLARE THAT I HAVE EXAMINED THIS PROOF OF SERVICE AND**
 17 **ITS CONTENTS ARE TRUE TO THE BEST OF MY KNOWLEDGE, INFORMATION, AND**
 18 **BELIEF."**

19 **(B) "THE PRECEDING PARAGRAPH DOES NOT APPLY, AND I DECLARE**
 20 **UNDER THE PENALTY OF PERJURY THAT I HAVE EXAMINED THIS PROOF OF**
 21 **SERVICE AND ITS CONTENTS ARE TRUE TO THE BEST OF MY KNOWLEDGE,**
 22 **INFORMATION, AND BELIEF."**

23 (2) Failure to make proof of service does not affect the
 24 validity of the service.

25 **(3) AN INDIVIDUAL WHO INTENTIONALLY MAKES A FALSE DECLARATION**
 26 **UNDER SUBSECTION (1) (B) (ii) (B) IS GUILTY OF A FELONY PUNISHABLE BY**
 27 **IMPRISONMENT FOR NOT MORE THAN 4 YEARS OR A FINE OF NOT MORE THAN**

1 **\$2,000.00, OR BOTH.**

2 Enacting section 1. This amendatory act takes effect 90 days
3 after the date it is enacted into law.