



SENATE BILL 91: Amend Rule 4/Acceptance of Service.

2023-2024 General Assembly

Committee:	Senate Judiciary. If favorable, re-refer to Rules and Operations of the Senate	Date:	February 27, 2023
Introduced by:	Sens. Galey, Sawrey, B. Newton	Prepared by:	Bill Patterson
Analysis of:	First Edition		Committee Co-Counsel

OVERVIEW: *Senate Bill 91 would permit a party to a civil action to accept service of process using a form provided by the Administrative Office of the Courts.*

CURRENT LAW: Rule 4(j5) of the North Carolina Rules of Civil Procedure permits a party to accept service of process by signing a notation of acceptance of service on an original or copy of the summons accompanying a complaint. Accepting service in this manner has the same effect as if the process had been served by personal delivery of the summons and complaint to the person signing the acceptance.

BILL ANALYSIS: Section 1 of the bill would amend Rule 4(j5) of the Rules of Civil Procedure to permit a party also to accept service of process by completing an acceptance of service form provided by the Administrative Office of the Courts, which would have the same effect as personal delivery of the summons and complaint to the person signing the form.

EFFECTIVE DATE: This act becomes effective October 1, 2023, and applies to actions commenced on or after that date.

Jeffrey Hudson
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Legislative Analysis
Division
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