

# Bill as Introduced

HB 325 - AS INTRODUCED

2009 SESSION

09-0630

09/01

HOUSE BILL           **325**

AN ACT                establishing standards for adequate service of process.

SPONSORS:            Rep. Ulery, Hills 27; Rep. Rowe, Hills 6; Rep. W. O'Brien, Hills 4

COMMITTEE:           Judiciary

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ANALYSIS

This bill establishes standards for adequate service of process.

.....

Explanation:        Matter added to current law appears in *bold italics*.  
                      Matter removed from current law appears [~~in brackets and struck through~~]  
                      Matter which is either (a) all new or (b) repealed and reenacted appears in regular type.



HB 325 - AS AMENDED BY THE HOUSE

06Jan2010... 2522h

2009 SESSION

09-0630

09/01

HOUSE BILL **325**

AN ACT establishing standards for adequate service of process and establishing a commission to study service of process by laypersons.

SPONSORS: Rep. Ulery, Hills 27; Rep. Rowe, Hills 6; Rep. W. O'Brien, Hills 4

COMMITTEE: Judiciary

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ANALYSIS

This bill establishes standards for adequate service of process.

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Explanation: Matter added to current law appears in *bold italics*.  
Matter removed from current law appears [~~in brackets and struck through~~].  
Matter which is either (a) all new or (b) repealed and reenacted appears in regular type.

STATE OF NEW HAMPSHIRE

*In the Year of Our Lord Two Thousand Nine*

AN ACT establishing standards for adequate service of process and establishing a commission to study service of process by laypersons.

*Be it Enacted by the Senate and House of Representatives in General Court convened:*

1 1 New Chapter; Standards for Adequate Service of Process. Amend RSA by inserting after  
2 chapter 510 the following new chapter:

3 CHAPTER 510-A

4 STANDARDS FOR ADEQUATE SERVICE OF PROCESS

5 510-A:1 Standards for Adequate Service of Process. In the absence of other provisions of law or  
6 order of the court, the following standards for service of a subpoena, summons, order of notice, or  
7 petition shall apply:

8 I. Service of a subpoena, summons, order of notice, or petition may be made either by  
9 delivering in hand or reading to the person who is the subject of the subpoena, summons, order of  
10 notice, or petition in the presence of that person. Such service is known as "personal service." If the  
11 person is not available at the time delivery is attempted, the document or documents may be given to  
12 a member of the person's household who is over the age of 18 and of apparent mental competency.  
13 Such service is known as "substitute service at place of abode."

14 II. If there is no one at the last and usual place of residence of the person who is the subject  
15 of the subpoena, summons, or petition, the document or documents may be posted in an obvious  
16 place at or near the main entry door of the last and usual place of abode and a copy of the document  
17 or documents mailed via United States Mail, registered or certified mail, return receipt request and  
18 postage prepaid, with address service requested, to the address where the document or documents  
19 were posted. It is the duty of the server to deliver any returned mail to the person requesting  
20 service. Such service is known as "posting service at place of abode."

21 III. If service is attempted at a place of employment, only personal service is permitted.

22 IV. If service is on a business entity, non-profit organization, or other association, service  
23 shall be made on the registered agent of the entity. If service is unable to be made on a registered  
24 agent or if the entity does not have a registered agent, then service on an officer, manager, employee,  
25 or 2 members of an association is permitted. The actual person or persons served shall be requested  
26 to provide his or her name or their names and the name or names shall be noted on the return of  
27 service. If the person served refuses to provide his or her name, a description of the circumstances  
28 and the person receiving the document or documents shall be noted on the return of service. Refusal  
29 to provide the name may result in a personal finding of contempt of court if the court determines

1 that the refusal was in bad faith to frustrate service of process.

2 V. If the address of service is at a gated community, the document or documents may be left  
3 with the person operating the security gate or entrance if entry is denied and a copy of the document  
4 or documents mailed via United States Mail, registered or certified mail, return receipt request and  
5 postage prepaid, to the address where the document or documents were posted.

6 VI. The return of service shall indicate the date, time, location, and method of service and  
7 shall be signed by the person or persons served, or if signature is refused, a description of the  
8 circumstances and person served. All returns shall be made under oath or under the pains of  
9 perjury.

10 2 Service of Process; Nonresident Defendant. Amend RSA 510:4, II to read as follows:

11 II. SERVICE OF PROCESS ON SECRETARY OF STATE. Service of process upon any  
12 person who is subject to the jurisdiction of this state, as provided in this section, may be made by  
13 leaving a copy thereof, with a fee of \$10, in the hands or office of the secretary of state. Such service  
14 shall be of the same legal force and effect as if served on the defendant at his abode or place of  
15 business in the state or country where he resides and according to the law of that state or country,  
16 provided that notice thereof and a copy of the process is forthwith sent by [~~registered mail, postage~~  
17 ~~prepaid~~] *registered or certified mail, return receipt requested and postage prepaid*, by the  
18 plaintiff or his attorney to the defendant at his last known abode or place of business in the state or  
19 country in which the defendant resides. The defendant's return receipt and an affidavit of the  
20 plaintiff or his attorney of compliance with the section shall be appended to the process and entered  
21 therewith. In the event that the notice and a copy of the process are not delivered to or accepted by  
22 the defendant, the court may order such additional notice, if any, as justice may require.

23 3 Commission Established.

24 I. There is established a commission to study service of process by laypersons.

25 II.(a) The members of the commission shall be as follows:

26 (1) Two members of the house of representatives, appointed by the speaker of the  
27 house of representatives.

28 (2) One member of the senate, appointed by the president of the senate.

29 (3) One member with expertise in local and county issues, appointed by the  
30 New Hampshire Municipal Association.

31 (4) One sheriff, appointed by the New Hampshire Sheriffs' Association.

32 (b) Legislative members of the commission shall receive mileage at the legislative rate  
33 when attending to the duties of the commission.

34 III. The commission shall study service of process by laypersons.

35 IV. The members of the commission shall elect a chairperson from among the members. The  
36 first meeting of the commission shall be called by the first-named house member. The first meeting  
37 of the commission shall be held within 45 days of the effective date of this section. Three members of

HB 325 - AS AMENDED BY THE HOUSE

- Page 3 -

1 the commission shall constitute a quorum.

2 V. The commission shall report its findings and any recommendations for proposed  
3 legislation to the speaker of the house of representatives, the president of the senate, the house  
4 clerk, the senate clerk, the governor, and the state library on or before November 1, 2010.

5 4 Effective Date.

6 I. Section 3 of this act shall take effect upon its passage.

7 II. The remainder of this act shall take effect January 1, 2011.

# Amendments



Sen. Reynolds, Dist. 2  
April 19, 2010  
2010-1449s  
09/01



Amendment to HB 325

1 Amend the title of the bill by replacing it with the following:

2

3 AN ACT establishing standards for adequate service of process and establishing a  
4 committee to study service of process by laypersons.  
5

6 Amend the bill by replacing section 3 with the following:

7

8 3 Committee Established.

9 I. There is established a committee to study service of process by laypersons.

10 II.(a) The members of the committee shall be 5 members of the house of representatives,  
11 appointed by the speaker of the house of representatives.

12 (b) Members of the committee shall receive mileage at the legislative rate when  
13 attending to the duties of the committee.

14 III. The committee shall study service of process by laypersons.

15 IV. The members of the committee shall elect a chairperson from among the members. The  
16 first meeting of the committee shall be called by the first-named house member. The first meeting of  
17 the committee shall be held within 45 days of the effective date of this section. Three members of the  
18 committee shall constitute a quorum.

19 V. The committee shall report its findings and any recommendations for proposed legislation  
20 to the speaker of the house of representatives, the president of the senate, the house clerk, the  
21 senate clerk, the governor, and the state library on or before November 1, 2010.

Amendment to HB 325  
- Page 2 -



2010-1449s

AMENDED ANALYSIS

This bill establishes standards for adequate service of process and establishes a committee to study service of process by laypersons.

# Committee Minutes

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**SENATE CALENDAR NOTICE  
JUDICIARY**

- ✓ Senator Deborah Reynolds Chairman
- ✓ Senator Bette Lasky V Chairman
- ✓ Senator Matthew Houde
- ✓ Senator Sheila Roberge
- Senator Robert Letourneau

For Use by Senate Clerk's Office ONLY	
<input type="checkbox"/>	Bill Status
<input type="checkbox"/>	Docket
<input type="checkbox"/>	Calendar
Proof: <input type="checkbox"/>	Calendar <input type="checkbox"/> Bill Status

**Date: April 15, 2010**

**HEARINGS**

**Tuesday**

**4/27/2010**

JUDICIARY

SH 103

2:00 PM

(Name of Committee)

(Place)

(Time)

**EXECUTIVE SESSION MAY FOLLOW**

2:00 PM	HB50	(New Title) relative to proceedings of medical injury claims screening panels.
2:30 PM	HB1257	changing requirements for extensions of time for hearings by pretrial screening panels for medical injury claims.
2:45 PM	HB191	relative to liability of a landowner giving permission to ride bicycles on his or her property.
3:00 PM	HB219	relative to hearings for incapacitated persons admitted to state institutions by their guardians.
3:15 PM	HB325	(New Title) establishing standards for adequate service of process and establishing a commission to study service of process by laypersons.
3:30 PM	HB1127	relative to service of process on commercial tenants.

3:25

**Sponsors:**

<b>HB50</b> Rep. Robert Rowe	Rep. Robert Rowe	Rep. Anthony DiFruscia	Rep. James Craig
<b>HB1257</b> Rep. David Nixon	Rep. Edward Butler	Rep. Karen Umberger	Rep. Thomas Buco
<b>HB191</b> Rep. Gene Chandler Sen. John Gallus			
<b>HB219</b> Rep. Lucy Weber			
✓ <b>HB325</b> Rep. Jordan Ulcry	Rep. Robert Rowe	Rep. William O'Brien	
<b>HB1127</b> Rep. Shawn Jasper			

# Judiciary Committee

## Hearing Report

**TO:** Members of the Senate

**FROM:** Susan Duncan, *Senior Legislative Aide*

**RE:** Hearing report on **HB 325 – AN ACT (New Title) establishing standards for adequate service of process and establishing a commission to study service of process by laypersons.**

**HEARING DATE:** April 27, 2010

**MEMBERS OF THE COMMITTEE PRESENT:** Senators Reynolds, Lasky, Roberge and Houde

**MEMBERS OF THE COMMITTEE ABSENT:** Senator Letourneau

**Sponsor(s):** Representative Ulery with Representatives Rowe and W. O'Brien

**What the bill does:** This bill establishes standards for adequate service of process.

**Who supports the bill:** Representative Ulery;

**Who opposes the bill:** Sheriff Hardy on behalf of the NH Sheriff's Association.

**Others testifying:** Attorney John MacIntosh on behalf of the NH Bar Association

### **Summary of testimony received:**

- Representative Ulery introduced the legislation and explained that it passed the House on a voice vote. He said that this is an attempt to clarify confusing language in the area of service of process.
- He said that the goal of the Commission is to clarify the statute, establish standards and make the process clear.
- He said that they wish to establish some level of regulation for those who wish to have service by laypersons.
- He explained that service of process is a large business.
- In citing examples of where laypersons serve, he used Turkey where only laypeople serve for the religious court there. He noted that service in bankruptcy court is also done by laypersons.

- Senator Reynolds noted that in her practice, she is familiar with those who generally use the county sheriff's offices. She said that the legitimacy of service is important and that if the sheriff is doing the service, then there is less of a chance that the service could be challenged. Representative Ulery responded that currently any person can serve a subpoena, a petition, a complaint or a summons in federal court. Senator Reynolds asked about service in a state case. Representative Ulery responded not a petition to attach, but that he has served others. He agreed that a Sheriff is a sworn officer, but noted that a Justice of the Peace can provide service. He remarked that there is a conflict in NH law. He said that the desire is to establish a set of standards that says clearly what must be served "in hand," and which can be left at the abode when "in hand" service is not possible.
- He said that under Federal Rule 4, he becomes an ad hoc officer of the court, so that trespass on someone's land to serve them is not an issue. He noted that in trying to serve someone who does not wish to be served, a Sheriff does not have time to sit outside someone's home for hours waiting for them – and that the bill does not change current practice.
- Sheriff Hardy testified on behalf of the nine Sheriffs and said that they are all opposed to this legislation. He said that in their opinion, the process is not broken. He explained that in Hillsborough County alone, they served over 27,000 pieces of civil process and that this service results in \$500,000 to \$600,000 in annual revenue. He said that in their opinion, the bill should be killed.
- Senator Reynolds asked who is serving in Rockingham County where they have a vacancy. Sheriff Hardy responded that they do have an attorney in charge.
- Attorney MacIntosh testified and said that if the study goes forward, that they would like to have someone from the Bar be added to section 3. Senator Reynolds asked if the Bar Association is taking any position on the bill as a whole. Attorney MacIntosh responded that they are not.

**Fiscal Impact:** Not applicable.

**Action on April 28, 2010:** Senator Houde moved "Inexpedient to Legislate." Senator Roberge seconded the motion. The Committee voted 5 to 0 in support. Senator Lasky will report the bill out of Committee.

sfd

[file: HB 325]

Date: April 29, 2010

Date: April 27, 2010  
Time: 3:35 p.m.  
Room: State House Room 103

2413

The Senate Committee on Judiciary held a hearing on the following:

HB 325 (New Title) establishing standards for adequate service of process and establishing a commission to study service of process by laypersons.

Members of Committee present: Senator Reynolds  
Senator Lasky  
Senator Houde  
Senator Roberge

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The Chair, Senator Deborah R. Reynolds, opened the hearing on HB 325 and invited the prime sponsor, Representative Jordan Ulery, to introduce the legislation.

Representative Ulery: Thank you, Madam Chair. For the record, my name is Jordan Ulery, representing Hillsborough 27.

This bill was introduced and it passed the House on a voice vote. It passed the same committee over in the House unanimously.

What the intent of this bill was to clarify some confusing language that exists in the service of process area. One section of the service of process rules, under 506, I believe it is, says that even though you can just post it, you can read it to the person, that's good enough. Another section says you have to give it to them in hand. So, you've got two different sections, plus you have a difference between pre-adjudication that is not court-ordered service and you have court-ordered service, such as a writ of replevin.

Now, what this is talking about primarily is service for a subpoena, summons, an order of notice or a petition for primarily money. The purpose of this is to clarify, to establish standards and to make it clear as to what is an acceptable form of service. That's all.

RUB

It also establishes a commission to discuss the process of setting up rules for lay individuals, not sheriffs, to serve process. Currently, the Superior Court rule says that any return of service can be signed by a sheriff or a deputy or any other person. That's all it says. So, if any return of service can be signed by other person, this would establish some level of regulation for those individuals who wish to engage in the business of service of process.

Nationwide, the vast majority of states allow subpoenas, summonses, complaints, petitions as we call them here, orders of notice, to be served by lay individuals or registered process servers or certified processors or whatever you want to call them and it is a large business.

Internationally, if somebody, and I've done this for the Department of Justice, if a person wants to have a divorce in Turkey in one of the religious courts, which is a regular court in Turkey, it goes through a lay person; it does not normally go through a sheriff. U.S. summonses and complaints, U.S. subpoenas, U.S. bankruptcies, done by a lay person all the time.

So, all we're doing is establishing a nice clean set of procedures and setting up a process where we can begin to consider the registration of individuals and come up with a set of rules for legislation to be introduced in the next session for individuals engaged in the non-judicial type of service.

Senator Deborah R. Reynolds, D. 2: Thank you for your testimony. I guess, from my perspective, and probably because I am so old, but as long as I have practiced law, generally speaking have used the county sheriff's department.

I suppose there is nothing wrong with trying to update existing law, but I guess my initial reaction, Representative, to be honest with you, is that I think the legitimacy of service is important and if you have a member of the law enforcement community like our sheriffs' departments doing this, it gives, there is less of a chance, although I suppose over time that will change, but at least in my mind, there is less of a chance that service itself could be challenged. I guess an example of that would be typically it is either abode service or in-hand service. The sheriff's department or the deputy sheriff will certify that on the back of the writ of summons or whatever it is. Now, there are some instances, a landlord/tenant case in particular, certainly subpoenas, anybody can serve a notice to quit or demand for rent and a subpoena. So, I mean, there is certainly some blending of this, but I would disagree with you.

But, I guess my concern, and it probably may be a prejudice that is not a fair prejudice in this day and age, but the concern is you don't want to have people who might not be trained in effectuating service effectuate service and

RWB

then have the lawsuit or the writ dismissed for lack of service. So, I'm just wondering if you considered any of that.

Representative Ulery: Yes, I have and that's one of the reasons I did not object to the commission being established to more fully discuss those rules.

Currently, in New Hampshire, any person can serve paper. Essentially, they are following a federal rule 4, a person over the age of eighteen and of good moral character, can serve a subpoena, a summons, a petition, complaint. Those are accepted. I know; I have done it. I do it frequently. So, if they are accepted by the federal courts.

Senator Deborah R. Reynolds, D. 2: Yes. Have you ever, in a state case in New Hampshire though, served a writ of summons or a petition to attach with notice yourself?

Representative Ulery: Not a petition to attach, no. That would be an order of the court. However, a petition or complaint, if you will, for some complaint in a small claims matter or even in a superior court case matter, I did one with a million and a half dollars that was heard down in Hillsborough County with no problem. There was no complaint whatsoever on that.

Now, the issue is, when we talk about having the sheriff and the prejudice in favor of a sheriff, yes, the sheriff is a sworn officer. However, like you, most likely, I am a Justice of the Peace as well and any Justice of the Peace can issue their own subpoena, their own summons. They can issue an arrest warrant on their own volition in certain circumstances. But, I'm not going to arrest her. I know where she lives, but I am not going to arrest her. But, that would be for discussion of the commission or the committee that would be established.

But, what we're trying to do in the first part of this is establish clear cut standards. Like I said, there is a conflict in New Hampshire law. One of them says abode service is sufficient; one of them says it has to be, not only given to them in hand, but read to them. No one is going to stand there and read a stack of papers that is an inch long, nor is it appropriate that that take place. What this does is establish a set of standards to say clearly the best type of service is in hand, and if you can't do that, you give it to somebody who lives with the person who is of a competent age and apparent competency.

Senator Deborah R. Reynolds, D. 2: You might have just raised another issue. I think that in some instances service could involve the person who is being served, alleged that there has been a trespass or even a criminal act in



effectuating service. Again, with the imprimatur of the sheriff's department or a sworn county officer, there is a little less of a risk with liability issues if you are a person who is the processor. I know this is done in other states, so this is not uniform. But, did you address that issue at all in the bill?

Representative Ulery: Yeah. Not only in this particular bill, nor do I believe that it needs to be addressed. Under the federal standards, if you take rule 4, for example, again, what happens is I become, when I'm handling this paper, I become a de facto or ad hoc, I should say, officer of the court and therefore trespass rules do not apply here at the time of that service.

In addition, serving criminal papers there is a penalty attached with interfering with the service. That is a discussion for another day.

But, for the state service, what we're trying to do is establish a set of standards and then lay the groundwork for some of the pre-adjudication, if you will, work that can be done to make the case go forward – a subpoena. Particularly, subpoena to a person who doesn't want to be subpoenaed. Now, no sheriff's office is going to sit outside somebody's house hours on end waiting for this person to come out and mow their lawn. But, a lay person can do that. Currently, this is what happens and it happens very frequently. Nor are there any requirements that a person be, as you indicated, specifically trained in this manner and that is something, again, for the commission to take up. It doesn't change, this bill does not change current practice. What this bill does is say three acceptable forms of service, acceptable form of service for corporations or businesses regulated by the Secretary of State, and like most of the issues that you have appropriately raised.

That's all the bill does. It doesn't say we can do, but says we want to look at it, we want to see if it can be done.

Senator Deborah R. Reynolds, D. 2: I don't want to cut you off, but I know I've got Sheriff Hardy here and we also have one bill that we have to hear. So, I do appreciate your testimony.

Representative Ulery: Oh, I understand that.

Senator Deborah R. Reynolds, D. 2: Any other questions of Representative Ulery? Thank you very much, sir.

Representative Ulery: Thank you, Senator Reynolds.

Senator Deborah R. Reynolds, D. 2: Sheriff Hardy on behalf of the New Hampshire Sheriffs Association. Welcome.

Sheriff Hardy: Thank you, Senators. I will be very brief. It is getting late in the afternoon. Just a couple of points.

Currently, the nine sheriffs around New Hampshire, there is a vacancy in Rockingham County, are opposed to HB 325. We feel it is a question that is something that is not broken and does not need to be fixed. The Chair did describe the current practice in New Hampshire quite well. There are standards that exist currently through the statute which are court rules. In Hillsborough County alone last year, we served over 27,000 pieces of civil process in the county. It would also negatively impact in these economic times our revenue stream. We generate anywhere between \$500,000 and \$600,000 annually which offsets the county tax rate.

A couple of issues with this legislation, the practical aspects of it. There is language in here regarding leaving persons summonses. A lot of these writs involve the most intimate details of a person's life, private life that they wouldn't want their best friends to know, such as their finances, their marital status and things like that. There is a piece in this bill that it would be okay to leave this with a person at the security shack at a gated community.

There is also language in here regarding contempt situations. If someone refuses to provide their name, I don't know how that would be enforced by a processor.

Our view is, again, that it is not broken and doesn't need to be fixed. We did agree on the House side to the interim study commission, but our view is that this bill should be ITL'd. Thank you.

Senator Deborah R. Reynolds, D. 2: Thank you, Sheriff Hardy. Any questions of Sheriff Hardy? Seeing none, thank you very much for your testimony. Sheriff, before you leave, in Rockingham County, you've got a vacancy, so the deputy sheriffs would just fill in with all of the civil process over there? Is that what they do?

Sheriff Hardy: They have an officer in charge that is going to be there until the next election. Thank you.

Senator Deborah R. Reynolds, D. 2: Thank you. Anyone else who wanted to testify relative to HB 325? Attorney MacIntosh?

Attorney John MacIntosh: I apologize.

DRB

Senator Deborah R. Reynolds, D. 2: Sure. No problem.

Attorney MacIntosh: Again, for the record, my name is John MacIntosh, representing the New Hampshire Bar Association which is only commenting on Section 3 of the bill as to the commission.

We understand the commission could be of value in terms of exploring other alternatives for service of process and would like to have a seat at the party. It would make sense, particularly where lawyers are great users of the courts service of process, we would like to participate on that commission as a full member.

Senator Deborah R. Reynolds, D. 2: So, the Association is not taking a position on this bill itself in terms of the underlying standards that Representative Ulery is setting forth?

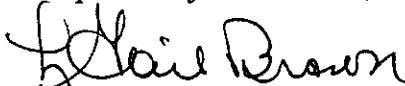
Attorney MacIntosh: It is not.

Senator Deborah R. Reynolds, D. 2: Any questions? Seeing none, thank you very much for your testimony.

Is there anybody else who would like to testify relative to HB 325? Seeing none, thank you for your testimony and I am going to close the hearing on the bill.

Hearing concluded at 3:45 p.m.

Respectfully submitted,



L. Gail Brown  
Senate Secretarial Supervisor  
9/12/10

# Speakers



# Voting Sheets

# Senate Judiciary Committee

## EXECUTIVE SESSION

Bill # HB 325

Hearing date: 4/27/10

Executive session date: 4/28/10

Motion of: ITL

VOTE: 5-0

**Made by** Reynolds   
**Senator:** Lasky   
 Houde   
 Letourneau   
 Roberge

**Seconded** Reynolds   
**by Senator:** Lasky   
 Houde   
 Letourneau   
 Roberge

**Reported** Reynolds   
**by Senator:** Lasky   
 Houde   
 Letourneau   
 Roberge

Motion of: \_\_\_\_\_

VOTE: \_\_\_\_\_

**Made by** Reynolds   
**Senator:** Lasky   
 Houde   
 Letourneau   
 Roberge

**Seconded** Reynolds   
**by Senator:** Lasky   
 Houde   
 Letourneau   
 Roberge

**Reported** Reynolds   
**by Senator:** Lasky   
 Houde   
 Letourneau   
 Roberge

<u>Committee Member</u>	<u>Present</u>	<u>Yes</u>	<u>No</u>	<u>Reported out by</u>
Senator Reynolds, Chairman	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Senator Lasky, Vice-Chair	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Senator Houde	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Senator Letourneau	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Senator Roberge	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

\*Amendments: \_\_\_\_\_

Notes: \_\_\_\_\_

# Committee Report

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STATE OF NEW HAMPSHIRE  
SENATE  
REPORT OF THE COMMITTEE

Date: April 29, 2010

THE COMMITTEE ON Judiciary

to which was referred House Bill 325

AN ACT (New Title) establishing standards for adequate service of process and establishing a commission to study service of process by laypersons.

Having considered the same, the committee recommends that the Bill:

**IS INEXPEDIENT TO LEGISLATE**

BY A VOTE OF: 5-0

AMENDMENT # s

Senator Bette R. Lasky  
For the Committee

L. Gail Brown 271-3076

## New Hampshire General Court - Bill Status System

**Docket of HB325**

Docket Abbreviations

**Bill Title:** (New Title) establishing standards for adequate service of process and establishing a commission to study service of process by laypersons.

*Official Docket of HB325:*

<b>Date</b>	<b>Body</b>	<b>Description</b>
01/08/2009	H	Introduced and Referred to Judiciary; <b>HJ 12</b> , PG.224
02/03/2009	H	Public Hearing: 2/11/2009 11:30 AM LOB 208
02/17/2009	H	Executive Session: 3/5/2009 11:00 AM LOB 208 (Continued 3/12/09 10:00 AM LOB 208 If Needed)
03/06/2009	H	Retained in Committee
10/19/2009	H	Retained Bill - Subcommittee Work Session: 11/3/2009 1:00 PM LOB 208 ==TIME CHANGE (Orig 9:00AM)=
10/20/2009	H	Retained Bill - Subcommittee Work Session: 11/10/2009 LOB 208 Immediately After 10:00 AM Exec Sess
10/21/2009	H	Retained Bill - Subcommittee Work Session: 11/13/2009 9:00 AM LOB 208
10/22/2009	H	Retained Bill - Executive Session: 11/17/2009 10:00 AM LOB 208
11/20/2009	H	Committee Report: Ought to Pass with AM #2522h (New Title) for Jan 6 CC (vote 18-0); <b>HC 2</b> , PG.83
11/20/2009	H	Proposed Committee Amendment #2522h (New Title); <b>HC 1</b> , PG.10-11
01/06/2010	H	Amendment #2522h (New Title) Adopted, VV; <b>HJ 6</b> , PG.264-265
01/06/2010	H	Ought to Pass with Amendment #2522h (New Title): MA VV; <b>HJ 6</b> , PG.264-265
03/24/2010	S	Introduced and Referred to Judiciary; <b>SJ 11</b> , Pg.259
04/15/2010	S	Hearing: April 27, 2010, Room 103, State House, 3:15 p.m.; <b>SC16</b>
04/29/2010	S	Committee Report: Inexpedient to Legislate, 5/5/10; <b>SC18</b>
05/05/2010	S	Inexpedient to Legislate, MA, VV === BILL KILLED === <b>SJ 17</b> , Pg.389

NH House

NH Senate

Contact Us

*New Hampshire General Court Information Systems*  
 107 North Main Street - State House Room 31, Concord NH 03301

# Other Referrals

# COMMITTEE REPORT FILE INVENTORY

HB 325 ORIGINAL REFERRAL

\_\_\_\_\_ RE-REFERRAL

1. THIS INVENTORY IS TO BE SIGNED AND DATED BY THE COMMITTEE SECRETARY AND PLACED INSIDE THE FOLDER AS THE FIRST ITEM IN THE COMMITTEE FILE.
2. PLACE ALL DOCUMENTS IN THE FOLDER FOLLOWING THE INVENTORY IN THE ORDER LISTED.
3. THE DOCUMENTS WHICH HAVE AN "X" BESIDE THEM ARE CONFIRMED AS BEING IN THE FOLDER.
4. THE COMPLETED FILE IS THEN DELIVERED TO THE CALENDAR CLERK.

DOCKET (Submit only the latest docket found in Bill Status)

COMMITTEE REPORT

CALENDAR NOTICE on which you have taken attendance

HEARING REPORT (written summary of hearing testimony)

HEARING TRANSCRIPT (verbatim transcript of hearing)  
List attachments (testimony and submissions which are part of the transcript) by number [1 thru 4 or 1, 2, 3, 4] here: \_\_\_\_\_

SIGN-UP SHEET

ALL AMENDMENTS (passed or not) CONSIDERED BY COMMITTEE:

- AMENDMENT # 1449                      \_\_\_\_\_ - AMENDMENT # \_\_\_\_\_  
\_\_\_\_\_ - AMENDMENT # \_\_\_\_\_                      \_\_\_\_\_ - AMENDMENT # \_\_\_\_\_

ALL AVAILABLE VERSIONS OF THE BILL:

AS INTRODUCED                       AS AMENDED BY THE HOUSE  
\_\_\_\_\_ FINAL VERSION                      \_\_\_\_\_ AS AMENDED BY THE SENATE

\_\_\_\_\_ PREPARED TESTIMONY AND OTHER SUBMISSIONS (Which are not part of the transcript)

List by letter [ a thru g or a, b, c, d] here: \_\_\_\_\_

EXECUTIVE SESSION REPORT

\_\_\_\_\_ OTHER (Anything else deemed important but not listed above, such as amended fiscal notes):

IF YOU HAVE A RE-REFERRED BILL, YOU ARE GOING TO MAKE UP A DUPLICATE FILE FOLDER

DATE DELIVERED TO SENATE CLERK

9/22/10

[Signature]  
COMMITTEE SECRETARY