

FIRST REGULAR SESSION

SENATE BILL NO. 516

94TH GENERAL ASSEMBLY

INTRODUCED BY SENATOR GOODMAN.

Read 1st time February 15, 2007, and ordered printed.

TERRY L. SPIELER, Secretary.

1952S.011

AN ACT

To repeal section 517.041, RSMo, and to enact in lieu thereof one new section relating to service of process in cases before associate circuit judges.

Be it enacted by the General Assembly of the State of Missouri, as follows:

Section A. Section 517.041, RSMo, is repealed and one new section
2 enacted in lieu thereof, to be known as section 517.041, to read as follows:

517.041. 1. The process in all cases shall be a summons with a copy of the
2 petition of the plaintiff attached, directed to the sheriff or other proper person for
3 service on the defendant. The summons shall command the defendant to appear
4 before the court on a date and time, not less than ten days [nor more than thirty
5 days] from the date of service of the summons.

6 2. If process is not timely served, the plaintiff may request further process
7 be issued to any defendant not timely served with the case being continued, or
8 the plaintiff may dismiss as to any such defendant and proceed with the case.

9 3. A petition filed which states a claim or claims that in the aggregate
10 exceeds the jurisdictional limit of the division shall be certified to presiding judge
11 for assignment.

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EXPLANATION—Matter enclosed in bold-faced brackets [thus] in this bill is not enacted and is intended to be omitted in the law.