

HOUSE BILL 1971

By Carter

AN ACT to amend Tennessee Code Annotated, Title 16,
Chapter 15, Part 9, relative to service of process.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Section 16-15-904(e), is amended by deleting the following language:

For purposes of this subsection (e), the United States postal service notation that a properly addressed registered or certified letter is "unclaimed," or other similar notation, is sufficient evidence of the defendant's refusal to accept delivery.

and substituting instead the following:

Service by mail shall not be the basis for the entry of a judgment by default unless the record contains a return receipt showing personal acceptance by the defendant or by persons designated by this section. If service by mail is unsuccessful, it may be attempted again or other methods authorized by this section may be used.

SECTION 2. This act shall take effect upon becoming a law, the public welfare requiring it.