

**ADOPTED**

1 Senator Brush of the 24<sup>th</sup> offered the following amendment:

2 Amend SB 46 by striking the words "subsection (b) of" on line 13 of page 1.

3 By inserting between lines 15 and 16 on page 1 the following:

4 "44-7-51.

5 (a) When the affidavit provided for in Code Section 44-7-50 is made, the judge of the  
6 superior court, the state court, or any other court with jurisdiction over the subject  
7 matter or the judge, clerk, or deputy clerk of the magistrate court shall grant and issue a  
8 summons to the sheriff or his deputy or to any lawful constable of the county where the  
9 land is located. A copy of the summons and a copy of the affidavit shall be personally  
10 served upon the defendant. If the sheriff is unable to serve the defendant personally,  
11 service may be had by delivering the summons and the affidavit to any person who is  
12 sui juris residing on the premises or, if after reasonable effort, one attempt at  
13 deliverance shall constitute reasonable effort, no such person is found residing on the  
14 premises, by posting a copy of the summons and the affidavit on the door of the  
15 premises and, on the same day of such posting, by enclosing, directing, stamping, and  
16 mailing by first-class mail a copy of the summons and the affidavit to the defendant at  
17 his last known address, if any, and making an entry of this action on the affidavit filed  
18 in the case."

19 By striking the quotation marks at the beginning of line 16 on page 1.