

House Bill 688

By: Representatives Crawford of the 89th, Holcomb of the 101st, Oliver of the 84th, and Westbrook of the 163rd

A BILL TO BE ENTITLED
AN ACT

1 To amend Code Section 5-3-10 of the Official Code of Georgia Annotated, relating to
2 manner for service of process, so as to provide for service by certified mail and statutory
3 overnight delivery, return receipt requested; to provide for related matters; to repeal
4 conflicting laws; and for other purposes.

5 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

6 **SECTION 1.**

7 Code Section 5-3-10 of the Official Code of Georgia Annotated, relating to manner for
8 service of process, is amended in subsection (a) by revising paragraph (2), subparagraph
9 (a)(4)(C), and paragraphs (5) and (6) as follows:

10 "(2) Service of any document shall be made in person, by certified mail or statutory
11 overnight delivery, return receipt requested, or electronically if consent to electronic
12 service is given as provided in subsection (b) of this Code section;"

13 "(C) Read substantially as follows: 'I do certify that (number of copies) _____ (number
14 of copies) of the attached document(s) have been furnished to (name of party served)
15 _____ (name of party served) by (delivery, mail, or email)
16 _____ (delivery, certified mail, or statutory overnight delivery, return

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17 receipt requested, or email) on (~~date delivered, mailed, or emailed~~) _____ (date
18 delivered, mailed, or emailed);"

19 "(5) Service of any document may be perfected either before or after filing such service
20 with the clerk. If service is made by certified mail or statutory overnight delivery, return
21 receipt requested, it shall be deemed perfected on the day it was deposited in the mail.
22 If service is perfected by certified mail or statutory overnight delivery, return receipt
23 requested, three days shall be added to any deadline required for a response, to allow for
24 mailing;

25 (6) If the address of any party is unknown and the party is not represented by an attorney
26 of record, service may be perfected on the party by certified mail or statutory overnight
27 delivery, return receipt requested, directed to the last known address of the party; and"

28 **SECTION 2.**

29 All laws and parts of laws in conflict with this Act are repealed.