

IN THE SENATE

SENATE BILL NO. 1019

BY JUDICIARY AND RULES COMMITTEE

AN ACT

1 RELATING TO CIVIL ACTIONS; AMENDING SECTION 5-509, IDAHO CODE, TO PROVIDE
2 THAT AN ORDER OF SERVICE MUST DIRECT CERTAIN ACTION IN CERTAIN INSTANCES
3 AND TO MAKE TECHNICAL CORRECTIONS.
4

5 Be It Enacted by the Legislature of the State of Idaho:

6 SECTION 1. That Section 5-509, Idaho Code, be, and the same is hereby
7 amended to read as follows:

8 5-509. ORDER OF SERVICE. The order must direct the publication to be
9 made in a newspaper to be designated as most likely to give notice to the per-
10 son to be served, at least once a week for four (4) consecutive weeks.

11 In case publication is ordered where the residence of a nonresident or
12 absent defendant is known, the ~~clerk~~ order must direct a copy of the sum-
13 mons and complaint to be deposited within ten (10) days in any ~~post-office~~
14 post office, directed to the person to be served at his last known ~~post-of-~~
15 free post office address. When publication is ordered and made, the service
16 of summons is complete at the expiration of the period of publication. When
17 personal service of summons is ordered and made outside of the state, the
18 service is complete at the time of service.