

HOUSE BILL 1890

By DeBerry

AN ACT to amend Tennessee Code Annotated, Title 37,
Chapter 1, relative to service of summons and
publication.

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

SECTION 1. Tennessee Code Annotated, Section 37-1-121, is amended by deleting the section.

SECTION 2. Tennessee Code Annotated, Section 37-1-122, is amended by adding the following language before the first sentence:

After the petition has been filed, the clerk shall schedule a time for a hearing and issue summons to the parties.

SECTION 3. Tennessee Code Annotated, Section 37-1-123, is amended by deleting the section.

SECTION 4. Tennessee Code Annotated, Section 37-1-125(a)(2)(D), is amended by deleting the subdivision.

SECTION 5. Tennessee Code Annotated, Section 37-1-125, is amended by adding the following as a new subsection (a) and redesignating the subsequent subsections:

(a) If, after reasonable effort, a party cannot be found, or the party's post office address cannot be ascertained, regardless of whether the party is within this state, the court may order service of the summons upon the party by publication in accordance with § 21-1-203 and § 21-1-204. The published summons shall indicate the general nature of the allegations and where a copy of the petition may be obtained. The hearing shall not be earlier than five (5) days after the date of the last publication.

SECTION 6. Tennessee Code Annotated, Section 37-1-139(e), is amended by deleting the subsection.

SECTION 7. This act shall take effect July 1, 2016, the public welfare requiring it.