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HOUSE BILL NO. 410

INTRODUCED BY B. LER, C. KNUDSEN, A. REGIER, T. SMITH

A BILL FOR AN ACT ENTITLED: "AN ACT ESTABLISHING A TIME LIMIT FOR SERVICE OF PROCESS."

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

NEW SECTION. **Section 1. Time limit for service of process.** Except as provided in 25-3-106, a plaintiff shall make service of process no later than 2 years after filing the complaint. If the plaintiff fails to do so, the court, on motion or on its own initiative, shall dismiss the action without prejudice unless the defendant has made an appearance.

NEW SECTION. **Section 2. Codification instruction.** [Section 1] is intended to be codified as an integral part of Title 25, chapter 3, part 1, and the provisions of Title 25, chapter 3, part 1, apply to [section 1].

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