

# SENATE BILL No. 990

February 12, 2004, Introduced by Senators BISHOP, PATTERSON and CROPSEY and referred to the Committee on Judiciary.

A bill to amend 1961 PA 236, entitled "Revised judicature act of 1961," by amending section 5856 (MCL 600.5856), as amended by 1993 PA 78.

**THE PEOPLE OF THE STATE OF MICHIGAN ENACT:**

1       Sec. 5856. The statutes of limitations or repose are tolled  
2 **in any of the following circumstances:**

3       (a) At the time the complaint is filed, ~~and~~ if a copy of  
4 the summons and complaint are served on the defendant **within the**  
5 **time set forth in the court rules.**

6       (b) At the time jurisdiction over the defendant is otherwise  
7 acquired.

8       ~~(c) At the time the complaint is filed and a copy of the~~  
9 ~~summons and complaint in good faith are placed in the hands of an~~  
10 ~~officer for immediate service, but in this case the statute is~~

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1 ~~not tolled longer than 90 days after the copy of the summons and~~  
2 ~~complaint is received by the officer.~~

3       (c) ~~(d) If, during~~ **At the time notice is given in**  
4 **compliance with** the applicable notice period under section 2912b,  
5 **if during that period** a claim would be barred by the statute of  
6 limitations or repose; ~~, for~~ **but in this case, the statute is**  
7 **tolled** not longer than ~~a~~ **the** number of days equal to the number  
8 of days **remaining** in the applicable notice period after the date  
9 notice is given. ~~in compliance with section 2912b.~~