

Committee on Judiciary

HB 441 — Removal of Unknown Parties in Possession

by Rep. Brackett and others (CS/SB 522 by Judiciary Committee and Senator Grall)

The bill clarifies the procedures for service of process in a civil case where possession of real property is an issue. A defendant or defendants who are unknown to the plaintiff and thus are an unknown party in possession of real property may be served process using a single summons. Similarly, a single writ of possession may be used to evict all unknown parties in possession where the identity of unknown persons is not determined.

If approved by the Governor, or allowed to become law without the Governor's signature, these provisions take effect July 1, 2023.

Vote: Senate 40-0; House 116-0