

military installations whether or not service is resisted by force; however, because Art. 96 and Rule 104(d) allow service on federal enclaves, this provision is dropped limiting the application of this section to cases of actual threats or violence.

SEC. 6-304. SERVICE MADE OUTSIDE OF STATE.

IF THE EXERCISE OF PERSONAL JURISDICTION IS AUTHORIZED BY THIS TITLE, THE DEFENDANT MAY BE SERVED WITH PROCESS WHERE HE IS FOUND, WHETHER WITHIN OR OUTSIDE OF THE STATE.

REVISOR'S NOTE: This section presently appears as Art. 75, §97.

This section presently appears as part of the "Long Arm Statute".

The section is separated from the other provisions of that statute because it deals with service of process rather than jurisdiction over the person. There is no intention to change the meaning of the statute by this placement.

Rule 107 sets forth the procedure for out of state service of process. The only other changes made are in style.

SEC. 6-305. WITNESS OR PARTY MAY NOT BE SERVED.

(A) ACTION WITHIN STATE.

A NON-RESIDENT PERSON WHO IS WITHIN THE STATE FOR THE PURPOSE OF TESTIFYING IN OR PROSECUTING OR DEFENDING AN ACTION MAY NOT BE SERVED WITH PROCESS.

(B) PERSON PASSING THROUGH STATE.

A NON-RESIDENT PERSON PASSING THROUGH THIS STATE TO OR FROM ANOTHER STATE IN RESPONSE TO A SUMMONS TO TESTIFY MAY NOT BE SERVED WITH PROCESS. THIS SUBSECTION DOES NOT APPLY TO PROCESS ARISING FROM ACTS DONE BY THE PERSON AFTER HIS ENTRY INTO THIS STATE.

REVISOR'S NOTE: Subsection (a) is new language derived from Art. 41, §38 and Art. 27, §620(a). It duplicates Rule 104(g). There is no intention to supersede the Rule.