

FIRST REGULAR SESSION

SENATE BILL NO. 616

92ND GENERAL ASSEMBLY

INTRODUCED BY SENATOR NODLER.

Read 1st time February 26, 2003, and 1,000 copies ordered printed.

TERRY L. SPIELER, Secretary.

1986S.011

AN ACT

To repeal section 355.176 as enacted by house substitute for senate bill no. 768, eighty-eighth general assembly, second regular session, and to enact in lieu thereof one new section for the sole purpose of reenacting section 355.176 which was held unconstitutional by the Missouri Supreme Court.

Be it enacted by the General Assembly of the State of Missouri, as follows:

Section A. Section 355.176 as enacted by house substitute for senate bill no. 768, eighty-eighth general assembly, second regular session, is repealed and one new section enacted in lieu thereof, to be known as section 355.176, to read as follows:

355.176. 1. A corporation's registered agent is the corporation's agent for service of process, notice, or demand required or permitted by law to be served on the corporation.

2. If a corporation has no registered agent, or the agent cannot with reasonable diligence be served, the corporation may be served by registered or certified mail, return receipt requested, addressed to the secretary of the corporation at its principal office shown in the most recent annual report filed pursuant to section 355.856. Service is perfected under this subsection on the earliest of:

- (1) The date the corporation receives the mail;**
- (2) The date shown on the return receipt, if signed on behalf of the**

EXPLANATION--Matter enclosed in bold-faced brackets [thus] in this bill is not enacted and is intended to be omitted in the law.

corporation; or

(3) Five days after its deposit in the United States mail, if mailed and correctly addressed with first class postage affixed.

3. This section does not prescribe the only means, or necessarily the required means, of serving a corporation.

4. Suits against a corporation shall be commenced only in one of the following locations:

(1) The county in which the corporation maintains its principal place of business;

(2) The county where the cause of action accrued; or

(3) The county in which the office of the registered agent for the corporation is maintained.

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