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By: **Senator Frosh**

Introduced and read first time: February 6, 1998

Assigned to: Judicial Proceedings

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A BILL ENTITLED

1 AN ACT concerning

2 **Corporations and Associations - Resident Agents - Written Consent**

3 FOR the purpose of establishing that certain persons must provide written consent  
4 before being designated resident agents; altering the requirements relating to  
5 certain fees paid by certain resident agents; and generally relating to resident  
6 agents.

7 BY adding to  
8 Article - Corporations and Associations  
9 Section 1-208  
10 Annotated Code of Maryland  
11 (1993 Replacement Volume and 1997 Supplement)

12 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF  
13 MARYLAND, That the Laws of Maryland read as follows:

14 **Article - Corporations and Associations**

15 1-208.

16 (A) NOTWITHSTANDING ANY OTHER PROVISION OF THIS TITLE, AN ENTITY  
17 THAT IS REQUIRED TO HAVE A RESIDENT AGENT MAY NOT DESIGNATE A PERSON AS  
18 A RESIDENT AGENT WITHOUT FIRST OBTAINING THE PERSON'S WRITTEN CONSENT.

19 (B) (1) AN ENTITY SHALL FILE A RESIDENT AGENT'S WRITTEN CONSENT  
20 WITH THE DEPARTMENT.

21 (2) THE CONSENT SHALL BE EFFECTIVE UPON ACCEPTANCE BY THE  
22 DEPARTMENT.

23 (C) SUBSECTIONS (A) AND (B) OF THIS SECTION DO NOT APPLY TO RESIDENT  
24 AGENTS DESIGNATED BEFORE OCTOBER 1, 1998.

25 (D) (1) A PERSON DESIGNATED A RESIDENT AGENT WITHOUT CONSENT  
26 BEFORE OCTOBER 1, 1998 MAY RESIGN WITHOUT PAYING THE FEE UNDER § 1-203(2)  
27 OF THIS SUBTITLE.

1                   (2)       THE ENTITY THAT DESIGNATED A RESIDENT AGENT WHO RESIGNS  
2 UNDER PARAGRAPH (1) OF THIS SUBSECTION SHALL PAY THE FEE UNDER § 1-203(2)  
3 OF THIS SUBTITLE.

4       SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect  
5 October 1, 1998.