

BY: Judicial Proceedings Committee

AMENDMENTS TO SENATE BILL NO. 281  
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 2, strike “Governmental Agencies” and substitute “Service”; in line 6, after “entities;” insert “providing for a change of address of a resident agent under certain circumstances;”; in line 7, strike “change addresses and resign” and substitute “resign under certain circumstances”; in line 11, after “agencies” insert “and other persons”; and after line 21, insert:

“BY repealing and reenacting, with amendments,

Article - Corporations and Associations

Section 1-401(a)

Annotated Code of Maryland

(1993 Replacement Volume and 1998 Supplement)”.

AMENDMENT NO. 2

On page 2, strike in their entirety lines 14 through 18, inclusive, and substitute:

“(B) (1) A LOCAL ENTITY MAY DESIGNATE A CITIZEN OF THIS STATE WHO RESIDES IN THE STATE OR A MARYLAND CORPORATION AS RESIDENT AGENT FOR THE LOCAL ENTITY BY FILING FOR RECORD WITH THE DEPARTMENT:

(I) UNLESS OTHERWISE PROVIDED FOR IN THE CHARTER OF THE LOCAL ENTITY, A CERTIFIED COPY OF A RESOLUTION OF ITS GOVERNING BODY THAT AUTHORIZES THE DESIGNATION; OR

(II) A CERTIFICATION OF THE PERSON OR OFFICER WHO IS AUTHORIZED, AS PROVIDED IN THE CHARTER OF THE LOCAL ENTITY, TO ACCEPT SERVICE OF PROCESS ON BEHALF OF THE COUNTY.

(Over)

(2) IF A LOCAL ENTITY CHANGES ITS RESIDENT AGENT, THE LOCAL ENTITY MAY FILE FOR RECORD WITH THE DEPARTMENT:

(I) UNLESS OTHERWISE PROVIDED FOR IN THE CHARTER OF THE LOCAL ENTITY, A CERTIFIED COPY OF A RESOLUTION OF ITS GOVERNING BODY THAT AUTHORIZES THE CHANGE IN THE DESIGNATION; OR

(II) A CERTIFICATION OF THE PERSON OR OFFICER WHO IS AUTHORIZED, AS PROVIDED IN THE CHARTER OF THE LOCAL ENTITY, TO ACCEPT SERVICE OF PROCESS ON BEHALF OF THE COUNTY.”;

and in line 19, strike “(2)” and substitute “(3)”.

AMENDMENT NO. 3

On page 2, in line 33, strike “BINDS” and substitute “CONSTITUTES EFFECTIVE SERVICE OF PROCESS UNDER THE MARYLAND RULES ON”.

On page 3, in line 34, strike “BINDS” and substitute “CONSTITUTES EFFECTIVE SERVICE OF PROCESS UNDER THE MARYLAND RULES ON”.

On page 4, after line 7, insert:

“Article - Corporations and Associations

1-401.

(a) Service of process on the resident agent of a corporation, partnership, limited partnership, limited liability partnership, or limited liability company, or any other person [binds] CONSTITUTES EFFECTIVE SERVICE OF PROCESS UNDER MARYLAND RULES ON the corporation, partnership, limited partnership, limited liability partnership, or limited liability company, or other person in any action, suit, or proceeding which is pending, filed, or instituted against it under the provisions of this article.”.