



161648

LEGISLATIVE ACTION

Senate

House

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Floor: 1/AD/2R

05/03/2011 03:34 PM

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Senator Margolis moved the following:

**Senate Amendment (with title amendment)**

Between lines 110 and 111

insert:

Section 4. Section 48.151, Florida Statutes is amended to read:

48.151 Service on statutory agents for certain persons.—

(1) When any law designates a public officer, board, agency, or commission as the agent for service of process on any person, firm, or corporation, service of process thereunder shall be made by leaving one copy ~~two copies~~ of the process with the public officer, board, agency, or commission or in the office thereof, or by mailing one copy ~~said copies~~ to the public



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14 officer, board, agency, or commission. The public officer,  
15 board, agency, or commission so served shall retain a record of  
16 the process ~~file one copy in his or her or its records~~ and  
17 promptly send the ~~other~~ copy, by registered or certified mail,  
18 to the person to be served as shown by his or her or its  
19 records. Proof of service on the public officer, board, agency,  
20 or commission shall be by a notice accepting the process which  
21 shall be issued by the public officer, board, agency, or  
22 commission promptly after service and filed in the court issuing  
23 the process. The notice accepting service shall state the date  
24 upon which the copy of the process was mailed by the public  
25 officer, board, agency, or commission to the person being served  
26 and the time for pleading prescribed by the rules of procedure  
27 shall run from this date. The service is valid service for all  
28 purposes on the person for whom the public officer, board,  
29 agency, or commission is statutory agent for service of process.

30 (2) This section does not apply to substituted service of  
31 process on nonresidents.

32 (3) The Chief Financial Officer or his or her assistant or  
33 deputy or another person in charge of the office is the agent  
34 for service of process on all insurers applying for authority to  
35 transact insurance in this state, all licensed nonresident  
36 insurance agents, all nonresident disability insurance agents  
37 licensed pursuant to s. 626.835, any unauthorized insurer under  
38 s. 626.906 or s. 626.937, domestic reciprocal insurers,  
39 fraternal benefit societies under chapter 632, warranty  
40 associations under chapter 634, prepaid limited health service  
41 organizations under chapter 636, and persons required to file  
42 statements under s. 628.461.



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43 (4) The Director of the Office of Financial Regulation of  
44 the Financial Services Commission is the agent for service of  
45 process for any issuer as defined in s. 517.021, or any dealer,  
46 investment adviser, or associated person registered with that  
47 office, for any violation of any provision of chapter 517.

48 (5) The Secretary of State is the agent for service of  
49 process for any retailer, dealer or vendor who has failed to  
50 designate an agent for service of process as required under s.  
51 212.151 for violations of chapter 212.

52 (6) For purposes of this section, records may be retained  
53 in a paper copy or an electronic copy.

54

55 ===== T I T L E A M E N D M E N T =====

56 And the title is amended as follows:

57 Delete line 22

58 and insert:

59 absent from his or her office; amending s. 48.151,  
60 F.S.; reducing the number of copies of a process that  
61 must be served on the statutory agent of certain  
62 persons; requiring the statutory agent to retain a  
63 record of the process; authorizing records to be  
64 retained in a paper copy or an electronic copy;  
65 amending s. 48.21,