

Amendment No. 3

COMMITTEE/SUBCOMMITTEE ACTION

ADOPTED	<u>      </u>	(Y/N)
ADOPTED AS AMENDED	<u>      </u>	(Y/N)
ADOPTED W/O OBJECTION	<u>      </u>	(Y/N)
FAILED TO ADOPT	<u>      </u>	(Y/N)
WITHDRAWN	<u>      </u>	(Y/N)
OTHER	<u>      </u>	

1 Committee/Subcommittee hearing bill: Civil Justice Subcommittee  
2 Representative McBurney offered the following:

**Amendment (with title amendment)**

5 Between lines 5684 and 5685, insert:

6 Section 6. Section 48.062, Florida Statutes, is created to  
7 read:

8 48.062 Service on limited liability companies.--

9 (1) Process against any limited liability company, domestic  
10 or foreign, may be served on the registered agent designated by  
11 the limited liability company under Chapter 608. A person  
12 attempting to serve process pursuant to this paragraph may serve  
13 the process on any employee of the registered agent during the  
14 first attempt at service even if the registered agent is a  
15 natural person and is temporarily absent from his or her office.

16 (2) If service cannot be made on a registered agent of the  
17 limited liability company because of failure to comply with  
18 Chapter 608 or because the limited liability company does not  
19 have a registered agent, or if its registered agent cannot with

## Amendment No. 3

20 reasonable diligence be served, process against the limited  
21 liability company, domestic or foreign, may be served:

22 (a) On any member of a member-managed limited liability  
23 company;

24 (b) On any manager of a manager-managed limited liability  
25 company; or

26 (c) If a member or manager is not available during regular  
27 business hours to accept service on behalf of the limited  
28 liability company, he, she or it may designate an employee of  
29 the limited liability company to accept such service. After one  
30 attempt to serve a member, manager, or designated employee has  
31 been made, process may be served on the person in charge of the  
32 limited liability company during regular business hours.

33 (3) If, after reasonable diligence, service of process  
34 cannot be completed under subsection (1) or (2), service of  
35 process may be effected by service upon the Secretary of State  
36 as agent of the limited liability company as provided for in s.  
37 48.181.

38 (4) If the address provided for the registered agent,  
39 member or manager is a residence or private mailbox, service on  
40 the limited liability company, domestic or foreign, may be made  
41 by serving the registered agent, member or manager in accordance  
42 with s. 48.031.

43 (5) This section does not apply to service of process on an  
44 insurance company regulated under ch. 624.

Amendment No. 3

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**T I T L E   A M E N D M E N T**

Between lines 34 and 35, insert:  
creating s. 48.062, F.S.; providing for service of process on  
limited liability companies;