

1                   A bill to be entitled  
2           An act relating to service of process; amending s.  
3           15.16, F.S.; authorizing the Department of State to  
4           electronically receive service of process under ch.  
5           48, F.S.; amending s. 48.061, F.S.; revising  
6           procedures for service on partnerships, limited  
7           liability partnerships, and limited partnerships;  
8           amending s. 48.062, F.S.; defining the term  
9           "registered foreign limited liability company";  
10          revising procedures for service on a domestic limited  
11          liability company or registered foreign limited  
12          liability company; amending s. 48.071, F.S.; providing  
13          for service on nonresidents doing business in this  
14          state by use of a commercial firm regularly engaged in  
15          the business of document or package delivery; amending  
16          s. 48.081, F.S.; defining the term "registered foreign  
17          corporation"; revising requirements for service on a  
18          domestic corporation or registered foreign  
19          corporation; amending s. 48.091, F.S.; defining terms;  
20          requiring designation of registered agents and  
21          registered offices by certain partnerships,  
22          corporations, and companies; specifying duties of a  
23          registered agent; authorizing a person serving process  
24          to serve certain persons under specified conditions;  
25          amending s. 48.101, F.S.; providing for service on

26 dissolved corporations, dissolved limited liability  
27 companies, dissolved limited partnerships, and  
28 dissolved limited liability partnerships; creating s.  
29 48.102, F.S.; authorizing service by other means in  
30 certain circumstances; amending s. 48.111, F.S.;  
31 revising provisions related to service on public  
32 agencies and officers; authorizing service on  
33 specified persons under certain circumstances;  
34 amending s. 48.151, F.S.; revising the applicability  
35 of provisions relating to service on statutory agents  
36 for certain persons; amending s. 48.161, F.S.;  
37 revising provisions relating to substituted service;  
38 providing for substituted service on individuals or  
39 corporations or other business entities; specifying  
40 actions that may be considered due diligence in  
41 effectuating service; specifying when service is  
42 considered effectuated; requiring the Department of  
43 State to maintain certain records; amending s. 48.181,  
44 F.S.; defining the term "foreign business entity";  
45 revising provisions relating to substituted service;  
46 providing for substituted service on certain  
47 nonresidents and foreign business entities and on  
48 individuals and foreign business entities concealing  
49 their whereabouts; creating s. 48.184, F.S.; providing  
50 for service of process for removal of unknown parties

51 in possession of real property; amending s. 48.194,  
52 F.S.; revising provisions relating to service outside  
53 this state but within the United States; deleting  
54 provisions relating to service outside the United  
55 States; creating s. 48.197, F.S.; providing for  
56 service in a foreign country; amending s. 49.011,  
57 F.S.; providing for constructive service on the legal  
58 mother in certain situations; amending s. 766.106,  
59 F.S.; revising requirements for service of presuit  
60 notice before filing a medical negligence complaint;  
61 creating a rebuttable presumption that service was  
62 received by a prospective defendant in certain  
63 circumstances; providing court duties if service is  
64 challenged during subsequent litigation; revising  
65 provisions concerning tolling of the statute of  
66 limitations upon service of presuit notice by  
67 specified means; specifying that the terms  
68 "prospective" and "potential" are interchangeable;  
69 amending ss. 495.145, 605.0117, 605.09091, 605.0910,  
70 605.1045, 607.0504, 607.1423, 607.15101, 607.1520,  
71 617.0504, 617.1510, 617.1520, 620.1117, 620.1907,  
72 620.2105, 620.2109, 620.8915, and 620.8919, F.S.;  
73 conforming cross-references and provisions to changes  
74 made by the act; providing effective dates.

75

76 Be It Enacted by the Legislature of the State of Florida:

77

78 Section 1. Subsection (3) of section 15.16, Florida  
79 Statutes, is amended to read:

80 15.16 Reproduction of records; admissibility in evidence;  
81 electronic receipt and transmission of records; certification;  
82 acknowledgment.—

83 (3) The Department of State may cause to be received  
84 electronically any records that are required or authorized to be  
85 filed with it pursuant to chapter 48, chapter 55, chapter 117,  
86 chapter 118, chapter 495, chapter 605, chapter 606, chapter 607,  
87 chapter 610, chapter 617, chapter 620, chapter 621, chapter 679,  
88 chapter 713, or chapter 865, through facsimile or other  
89 electronic transfers, for the purpose of filing such records.  
90 The originals of all such electronically transmitted records  
91 must be executed in the manner provided in paragraph (5) (b). The  
92 receipt of such electronic transfer constitutes delivery to the  
93 department as required by law. The department may use electronic  
94 transmissions for purposes of notice in the administration of  
95 chapters 48, 55, 117, 118, 495, 605, 606, 607, 610, 617, 620,  
96 621, 679, and 713 and s. 865.09. The Department of State may  
97 collect e-mail addresses for purposes of notice and  
98 communication in the performance of its duties and may require  
99 filers and registrants to furnish such e-mail addresses when  
100 presenting documents for filing.

101 Section 2. Section 48.061, Florida Statutes, is amended to  
 102 read:

103 48.061 Service on partnerships, limited liability  
 104 partnerships, and limited partnerships.—

105 (1)(a) Process against a partnership that is not a limited  
 106 liability partnership or a limited partnership, including a  
 107 limited liability limited partnership, must ~~shall~~ be served on  
 108 any partner and is as valid for service on the partnership as if  
 109 served on each individual partner.

110 1. If a partner is not available during regular business  
 111 hours to accept service on behalf of the partnership, he or she  
 112 may designate an employee or agent to accept such service.

113 2. After one attempt to serve a partner or designated  
 114 employee or agent for service of process has been made, process  
 115 may be served on a person in charge of the partnership during  
 116 regular business hours.

117 (b) If the partnership designated an agent when  
 118 registering as a general partnership with the Department of  
 119 State, service on the agent is as valid for service on the  
 120 partnership as if served on each individual partner; however,  
 121 unless individual partners are served, the plaintiff may only  
 122 proceed to judgment and execution against the assets of the  
 123 partnership.

124 (2)(a) Process against a domestic limited liability  
 125 partnership must first be served on the then-current registered

126 agent for service of process specified in its statement of  
127 qualification, in its statement of qualification as amended or  
128 restated, or as redesignated in its annual report or change of  
129 agent filing and is as valid for service on the limited  
130 liability partnership as if served on each individual partner.  
131 If service cannot be made on the registered agent because the  
132 domestic limited liability partnership ceases to have a  
133 registered agent, or if the registered agent cannot otherwise be  
134 served after one good faith attempt because of a failure to  
135 comply with this chapter or chapter 620, the process may be  
136 served on any partner.

137 1. If a partner is not available during regular business  
138 hours to accept service on behalf of the partnership, he or she  
139 may designate an employee to accept such service.

140 2. After one attempt to serve a partner or designated  
141 employee has been made, process may be served on a person in  
142 charge of the partnership during regular business hours.

143 (b) If, after due diligence, the process cannot be  
144 completed under paragraph (a), the process may be served as  
145 provided in s. 48.161 on the Secretary of State as an agent of  
146 the domestic limited liability partnership or by order of the  
147 court under s. 48.102.

148 (3)(a)1. Process against a domestic limited partnership,  
149 including a domestic limited liability limited partnership, must  
150 first be served on the then-current agent for service of process

151 specified in its certificate of limited partnership, in its  
152 certificate as amended or restated, or as redesignated in its  
153 annual report or change of agent filing and is as valid for  
154 service on the domestic limited partnership as if served on each  
155 individual general partner of the partnership.

156 2. If service cannot be made on the registered agent  
157 because the domestic limited partnership or domestic limited  
158 liability limited partnership ceases to have a registered agent,  
159 or if the registered agent cannot otherwise be served following  
160 one good faith attempt because of a failure to comply with this  
161 chapter or chapter 620, the process may be served on any general  
162 partner.

163 3. After service on a general partner or the registered  
164 agent, the plaintiff may proceed to judgment and execution  
165 against the assets of the domestic limited partnership or of  
166 that general partner, unless the domestic limited partnership is  
167 a limited liability limited partnership.

168 (b) If, after due diligence, the process cannot be  
169 completed under paragraph (a), then process may be served as  
170 provided in s. 48.161 on the Secretary of State as an agent of  
171 the limited partnership or by order of the court under s.  
172 48.102.

173 (4) (a) Process against a foreign limited liability  
174 partnership that was required to comply with s. 620.9102 may be  
175 served as prescribed under subsection (2).

176        (b) A foreign limited liability partnership engaging in  
177 business in this state but not registered is considered, for  
178 purposes of service of process, a nonresident engaging in  
179 business in this state and may be served pursuant to s. 48.181  
180 or by order of the court under s. 48.102.

181        (5) (a) Process against a foreign limited partnership that  
182 was required to comply with s. 620.1902 may be served as  
183 prescribed under subsection (3).

184        (b) A foreign limited partnership engaging in business in  
185 this state but not registered is considered, for purposes of  
186 service of process, a nonresident engaging in business in this  
187 state and may be served pursuant to s. 48.181 or by order of the  
188 court under s. 48.102 ~~After one attempt to serve a partner or~~  
189 ~~designated employee has been made, process may be served on the~~  
190 ~~person in charge of the partnership during regular business~~  
191 ~~hours. After service on any partner, plaintiff may proceed to~~  
192 ~~judgment and execution against that partner and the assets of~~  
193 ~~the partnership. After service on a designated employee or other~~  
194 ~~person in charge, plaintiff may proceed to judgment and~~  
195 ~~execution against the partnership assets but not against the~~  
196 ~~individual assets of any partner.~~

197        ~~(2) Process against a domestic limited partnership may be~~  
198 ~~served on any general partner or on the agent for service of~~  
199 ~~process specified in its certificate of limited partnership or~~  
200 ~~in its certificate as amended or restated and is as valid as if~~



201 ~~served on each individual member of the partnership. After~~  
202 ~~service on a general partner or the agent, the plaintiff may~~  
203 ~~proceed to judgment and execution against the limited~~  
204 ~~partnership and all of the general partners individually. If a~~  
205 ~~general partner cannot be found in this state and service cannot~~  
206 ~~be made on an agent because of failure to maintain such an agent~~  
207 ~~or because the agent cannot be found or served with the exercise~~  
208 ~~of reasonable diligence, service of process may be effected by~~  
209 ~~service upon the Secretary of State as agent of the limited~~  
210 ~~partnership as provided for in s. 48.181. Service of process may~~  
211 ~~be made under ss. 48.071 and 48.21 on limited partnerships.~~

212 ~~(3) Process against a foreign limited partnership may be~~  
213 ~~served on any general partner found in the state or on any agent~~  
214 ~~for service of process specified in its application for~~  
215 ~~registration and is as valid as if served on each individual~~  
216 ~~member of the partnership. If a general partner cannot be found~~  
217 ~~in this state and an agent for service of process has not been~~  
218 ~~appointed or, if appointed, the agent's authority has been~~  
219 ~~revoked or the agent cannot be found or served with the exercise~~  
220 ~~of reasonable diligence, service of process may be effected by~~  
221 ~~service upon the Secretary of State as agent of the limited~~  
222 ~~partnership as provided for in s. 48.181, or process may be~~  
223 ~~served as provided in ss. 48.071 and 48.21.~~

224 Section 3. Section 48.062, Florida Statutes, is amended to  
225 read:

226 48.062 Service on a domestic limited liability company or  
 227 registered foreign limited liability company.—

228 (1) As used in this section, the term "registered foreign  
 229 limited liability company" means a foreign limited liability  
 230 company that has an active certificate of authority to transact  
 231 business in this state pursuant to a record filed with the  
 232 Department of State.

233 (2) ~~Process against~~ A domestic limited liability company~~—~~  
 234 ~~domestic~~ or registered foreign limited liability company~~—~~ may be  
 235 served with process required or authorized by law by service on  
 236 its ~~the~~ registered agent designated by the domestic limited  
 237 liability company or registered foreign limited liability  
 238 company under chapter 605. ~~A person attempting to serve process~~  
 239 ~~pursuant to this subsection may serve the process on any~~  
 240 ~~employee of the registered agent during the first attempt at~~  
 241 ~~service even if the registered agent is a natural person and is~~  
 242 ~~temporarily absent from his or her office.~~

243 (3)~~(2)~~ If service cannot be made on a registered agent of  
 244 the domestic limited liability company or registered foreign  
 245 limited liability company because the domestic limited liability  
 246 company or registered foreign limited liability company ceases  
 247 to have a registered agent, or if the registered agent of the  
 248 domestic limited liability company or registered foreign limited  
 249 liability company cannot otherwise be served after one good  
 250 faith attempt because of a failure to comply with this chapter

251 ~~or chapter 605 or because the limited liability company does not~~  
252 ~~have a registered agent, or if its registered agent cannot with~~  
253 ~~reasonable diligence be served, process against the limited~~  
254 ~~liability company, domestic or foreign, the process~~ may be  
255 served on any of the following:

256 (a) Any manager of a manager-managed domestic limited  
257 liability company or registered foreign limited liability  
258 company. ~~On a member of a member-managed limited liability~~  
259 ~~company;~~

260 (b) Any member of a member-managed domestic limited  
261 liability company or registered foreign limited liability  
262 company. ~~On a manager of a manager-managed limited liability~~  
263 ~~company; or~~

264 (c) Any person listed publicly by the domestic limited  
265 liability company or registered foreign limited liability  
266 company on its latest annual report, as most recently amended ~~if~~  
267 ~~a member or manager is not available during regular business~~  
268 ~~hours to accept service on behalf of the limited liability~~  
269 ~~company, he, she, or it may designate an employee of the limited~~  
270 ~~liability company to accept such service. After one attempt to~~  
271 ~~serve a member, manager, or designated employee has been made,~~  
272 ~~process may be served on the person in charge of the limited~~  
273 ~~liability company during regular business hours.~~

274 (4)~~(3)~~ If, after due ~~reasonable~~ diligence, the ~~service of~~  
275 process cannot be completed under subsection (2) and if either:

276        (a) The only person listed publicly by the domestic  
 277 limited liability company or registered foreign limited  
 278 liability company on its latest annual report, as most recently  
 279 amended, is also the registered agent on whom service was  
 280 attempted under subsection (2); or

281        (b) After due diligence, service was attempted on at least  
 282 one person listed publicly by the domestic limited liability  
 283 company or registered foreign limited liability company on its  
 284 latest annual report, as most recently amended, and cannot be  
 285 completed on such person under subsection (3) ~~(1) or subsection~~  
 286 ~~(2),~~

287  
 288 the service of process may be served as provided in s. 48.161 on  
 289 effected by service upon the Secretary of State as an agent of  
 290 the domestic limited liability company or the registered foreign  
 291 limited liability company or by order of the court under s.  
 292 48.102 as provided for in s. 48.181.

293        (5)(4) If the address for the registered agent or any  
 294 person listed publicly by the domestic limited liability company  
 295 or registered foreign limited liability company on its latest  
 296 annual report, as most recently amended, member, or manager is a  
 297 residence, a private mailbox, a virtual office, or an executive  
 298 office or mini suite, service on the domestic limited liability  
 299 company or registered foreign limited liability company may be  
 300 made by serving any of the following:

301        (a) The registered agent of the domestic limited liability  
 302 company or registered foreign limited liability company, in  
 303 accordance with s. 48.031.

304        (b) Any person listed publicly by the domestic limited  
 305 liability company or registered foreign limited liability  
 306 company on its latest annual report, as most recently amended,  
 307 in accordance with s. 48.031.

308        (c) Any~~r~~ member~~r~~ or manager of the domestic limited  
 309 liability company or registered foreign limited liability  
 310 company, in accordance with s. 48.031.

311        (6) A foreign limited liability company engaging in  
 312 business in this state which is not registered is considered,  
 313 for purposes of service of process, a nonresident engaging in  
 314 business in this state and may be served pursuant to s. 48.181  
 315 or by order of the court under s. 48.102.

316        (7)~~(5)~~ This section does not apply to service of process  
 317 on insurance companies.

318        Section 4. Section 48.071, Florida Statutes, is amended to  
 319 read:

320        48.071 Service on agents of nonresidents doing business in  
 321 the state.—When any natural person or partnership not residing  
 322 or having a principal place of business in this state engages in  
 323 business in this state, process may be served on the person who  
 324 is in charge of any business in which the defendant is engaged  
 325 within this state at the time of service, including agents

326 | soliciting orders for goods, wares, merchandise, or services.  
 327 | Any process so served is as valid as if served personally on the  
 328 | nonresident person or partnership engaging in business in this  
 329 | state in any action against the person or partnership arising  
 330 | out of such business. A copy of such process with a notice of  
 331 | service on the person in charge of such business must ~~shall~~ be  
 332 | sent forthwith to the nonresident person or partnership by  
 333 | registered mail; by ~~or~~ certified mail, return receipt requested;  
 334 | or by use of a commercial firm regularly engaged in the business  
 335 | of document or package delivery. The party seeking to effectuate  
 336 | service, or the attorney for such party, shall prepare- an  
 337 | affidavit of compliance with this section which must ~~shall~~ be  
 338 | filed before the return day or within such further time as the  
 339 | court may allow.

340 | Section 5. Section 48.081, Florida Statutes, is amended to  
 341 | read:

342 | 48.081 Service on a domestic corporation or registered  
 343 | foreign corporation.-

344 | (1) As used in this section, the term "registered foreign  
 345 | corporation" means a foreign corporation that has an active  
 346 | certificate of authority to transact business in this state  
 347 | pursuant to a record filed with the Department of State.

348 | (2) A domestic corporation or a registered foreign  
 349 | corporation may be served with process required or authorized by  
 350 | law by service on its registered agent designated by the

351 corporation under chapter 607 or chapter 617, as applicable.

352 (3) If service cannot be made on a registered agent of the  
353 domestic corporation or registered foreign corporation because  
354 the domestic corporation or registered foreign corporation  
355 ceases to have a registered agent, or if the registered agent of  
356 the domestic corporation or registered foreign corporation  
357 cannot otherwise be served after one good faith attempt because  
358 of a failure to comply with this chapter, chapter 607, or  
359 chapter 617, as applicable, the process may be served on either  
360 of the following ~~Process against any private corporation,~~  
361 ~~domestic or foreign, may be served:~~

362 (a) The chair of the board of directors, ~~On~~ the president,  
363 any ~~or~~ vice president, the secretary, or the treasurer ~~or other~~  
364 head of the domestic corporation or registered foreign  
365 corporation.~~\*~~

366 (b) Any person listed publicly by the domestic corporation  
367 or registered foreign corporation on its latest annual report,  
368 as most recently amended ~~In the absence of any person described~~  
369 ~~in paragraph (a), on the cashier, treasurer, secretary, or~~  
370 ~~general manager;~~

371 ~~(c) In the absence of any person described in paragraph~~  
372 ~~(a) or paragraph (b), on any director; or~~

373 ~~(d) In the absence of any person described in paragraph~~  
374 ~~(a), paragraph (b), or paragraph (c), on any officer or business~~  
375 ~~agent residing in the state.~~

376        (4) If, after due diligence, the process cannot be  
 377 completed under subsection (2) and if either:

378        (a) The only person listed publicly by the domestic  
 379 corporation or registered foreign corporation on its latest  
 380 annual report, as most recently amended, is also the registered  
 381 agent on whom service was attempted under subsection (2); or

382        (b) After due diligence, service was attempted on at least  
 383 one person listed publicly by the domestic corporation or  
 384 registered foreign corporation on its latest annual report, as  
 385 most recently amended, and cannot be completed on such person  
 386 under subsection (3),

387

388 the process may be served as provided in s. 48.161 on the  
 389 Secretary of State as an agent of the domestic corporation or  
 390 registered foreign corporation or by order of the court under s.  
 391 48.102

392        ~~(2) If a foreign corporation has none of the foregoing~~  
 393 ~~officers or agents in this state, service may be made on any~~  
 394 ~~agent transacting business for it in this state.~~

395        ~~(3)(a) As an alternative to all of the foregoing, process~~  
 396 ~~may be served on the agent designated by the corporation under~~  
 397 ~~s. 48.091. However, if service cannot be made on a registered~~  
 398 ~~agent because of failure to comply with s. 48.091, service of~~  
 399 ~~process shall be permitted on any employee at the corporation's~~  
 400 ~~principal place of business or on any employee of the registered~~



401 ~~agent. A person attempting to serve process pursuant to this~~  
402 ~~paragraph may serve the process on any employee of the~~  
403 ~~registered agent during the first attempt at service even if the~~  
404 ~~registered agent is temporarily absent from his or her office.~~

405 (5)(b) If the address for the registered agent or any  
406 person listed publicly by the domestic corporation or registered  
407 foreign corporation on its latest annual report, as most  
408 recently amended, officer, director, or principal place of  
409 ~~business~~ is a residence, a private mailbox, a virtual office, or  
410 an executive office or mini suite, service on the domestic  
411 corporation or registered foreign corporation may be made by  
412 serving any of the following:

413 (a) The registered agent of the domestic corporation or  
414 registered foreign corporation, officer, or director in  
415 accordance with s. 48.031.

416 (b) Any person listed publicly by the domestic corporation  
417 or registered foreign corporation on its latest annual report,  
418 as most recently amended, in accordance with s. 48.031.

419 (c) Any person serving in one of the positions specified  
420 in paragraph (3)(a), in accordance with s. 48.031.

421 (6) A foreign corporation engaging in business in this  
422 state which is not registered is considered, for purposes of  
423 service of process, a nonresident engaging in business in this  
424 state and may be served pursuant to s. 48.181 or by order of the  
425 court under s. 48.102.

426        ~~(7)-(4)~~ This section does not apply to service of process  
 427 on insurance companies.

428        ~~(5) When a corporation engages in substantial and not~~  
 429 ~~isolated activities within this state, or has a business office~~  
 430 ~~within the state and is actually engaged in the transaction of~~  
 431 ~~business therefrom, service upon any officer or business agent~~  
 432 ~~while on corporate business within this state may personally be~~  
 433 ~~made, pursuant to this section, and it is not necessary in such~~  
 434 ~~case that the action, suit, or proceeding against the~~  
 435 ~~corporation shall have arisen out of any transaction or~~  
 436 ~~operation connected with or incidental to the business being~~  
 437 ~~transacted within the state.~~

438        Section 6. Section 48.091, Florida Statutes, is amended to  
 439 read:

440        48.091 Partnerships, corporations, and limited liability  
 441 companies; designation of registered agent and registered  
 442 office.—

443        (1) As used in this section, the term:

444        (a) "Registered foreign corporation" and "registered  
 445 foreign limited liability company" have the same meanings as in  
 446 ss. 48.081 and 48.062, respectively.

447        (b) "Registered foreign limited liability partnership" or  
 448 "registered foreign limited partnership" means a foreign limited  
 449 liability partnership or foreign limited partnership that has an  
 450 active certificate of authority to transact business in this

451 state pursuant to a record filed with the Department of State.

452 (2) Every domestic limited liability partnership; domestic  
 453 limited partnership, including limited liability limited  
 454 partnerships; domestic corporation; domestic limited liability  
 455 company; registered foreign limited liability partnership;  
 456 registered foreign limited partnership, including limited  
 457 liability limited partnerships; registered foreign corporation;  
 458 and registered foreign limited liability company Florida  
 459 ~~corporation and every foreign corporation now qualified or~~  
 460 ~~hereafter qualifying to transact business in this state shall~~  
 461 ~~designate a registered agent and registered office in accordance~~  
 462 ~~with chapter 605, part I of chapter 607, chapter 617, or chapter~~  
 463 ~~620, as applicable.~~

464 (3)(2) Every domestic limited liability partnership;  
 465 domestic limited partnership, including limited liability  
 466 limited partnerships; domestic corporation; domestic limited  
 467 liability company; registered foreign limited liability  
 468 partnership; registered foreign limited partnership, including  
 469 limited liability limited partnerships; registered foreign  
 470 corporation; registered foreign limited liability company; and  
 471 domestic or foreign general partnership that elects to designate  
 472 a registered agent shall cause the designated registered agent  
 473 to ~~corporation shall~~ keep the designated registered office open  
 474 from at least 10 a.m. to 12 noon each day except Saturdays,  
 475 Sundays, and legal holidays, and shall cause the designated

476 registered agent to keep one or more individuals who are, or are  
477 representatives of, the designated ~~registered agents on whom~~  
478 ~~process may be served at the office during these hours. The~~  
479 ~~corporation shall keep a sign posted in the office in some~~  
480 ~~conspicuous place designating the name of the corporation and~~  
481 ~~the name of its~~ registered agent on whom process may be served  
482 at the office during these hours.

483 (4) A person attempting to serve process pursuant to this  
484 section on a registered agent that is other than a natural  
485 person may serve the process on any employee of the registered  
486 agent. A person attempting to serve process pursuant to this  
487 section on a natural person, if the natural person is  
488 temporarily absent from his or her office, may serve the process  
489 during the first attempt at service on any employee of such  
490 natural person.

491 (5) The registered agent shall promptly forward copies of  
492 the process and any other papers received in connection with the  
493 service to a responsible person in charge of the business  
494 entity. Failure to comply with this subsection does not  
495 invalidate the service of process.

496 Section 7. Section 48.101, Florida Statutes, is amended to  
497 read:

498 48.101 Service on dissolved corporations, dissolved  
499 limited liability companies, dissolved limited partnerships, and  
500 dissolved limited liability partnerships.-

501        (1) Process against the directors of any corporation that  
 502 ~~which~~ was dissolved before July 1, 1990, as trustees of the  
 503 dissolved corporation must ~~shall~~ be served on one or more of the  
 504 directors of the dissolved corporation as trustees thereof and  
 505 binds all of the directors of the dissolved corporation as  
 506 trustees thereof. ~~Process against any other dissolved~~  
 507 ~~corporation shall be served in accordance with s. 48.081.~~

508        (2) (a) Process against any other dissolved domestic  
 509 corporation must be served in accordance with s. 48.081.

510        (b) In addition, provided that service was first properly  
 511 attempted on the registered agent pursuant to s. 48.081(2), but  
 512 was not successful, service may then be attempted as required  
 513 under s. 48.081(3). In addition to the persons listed in s.  
 514 48.081(3), service may then be attempted on the person appointed  
 515 by the circuit court as the trustee, custodian, or receiver  
 516 under s. 607.1405(6).

517        (c) A party attempting to serve a dissolved domestic for-  
 518 profit corporation under this section may petition the court to  
 519 appoint one of the persons specified in s. 607.1405(6) to  
 520 receive service of process on behalf of the corporation.

521        (3) (a) Process against any dissolved domestic limited  
 522 liability company must be served in accordance with s. 48.062.

523        (b) In addition, provided that service was first properly  
 524 attempted on the registered agent pursuant to s. 48.062(2), but  
 525 was not successful, service may then be attempted as required

526 under s. 48.062(3). In addition to the persons listed in s.  
527 48.062(3), service on a dissolved domestic limited liability  
528 company may be made on the person appointed as the liquidator,  
529 trustee, or receiver under s. 605.0709.

530 (c) A party attempting to serve a dissolved domestic  
531 limited liability company under this section may petition the  
532 court to appoint one of the persons specified in s. 605.0709(5)  
533 to receive service of process on behalf of the limited liability  
534 company.

535 (4) Process against any dissolved domestic limited  
536 partnership must be served in accordance with s. 48.061.

537 Section 8. Section 48.102, Florida Statutes, is created to  
538 read:

539 48.102 Service by other means.—If, after due diligence, a  
540 party seeking to effectuate service is unable to effectuate  
541 personal service of process on a domestic or foreign  
542 corporation; a domestic or foreign general partnership,  
543 including a limited liability partnership; a domestic or foreign  
544 limited partnership, including a limited liability limited  
545 partnership; or a domestic or foreign limited liability company,  
546 the court, upon motion and a showing of such inability, may  
547 authorize service in any other manner that the party seeking to  
548 effectuate service shows will be reasonably effective to give  
549 the entity on which service is sought to be effectuated actual  
550 notice of the suit. Such other manners of service may include

551 service electronically by e-mail or other technology by any  
552 person authorized to serve process in accordance with this  
553 chapter or by an attorney. The court may authorize other methods  
554 of service consistent with the principles of due process. In  
555 suits involving a breach of contract, the court may consider  
556 authorizing the parties to effectuate service in the manner  
557 provided for in the contractual notice provision of the subject  
558 contract.

559 Section 9. Subsection (1) of section 48.111, Florida  
560 Statutes, is amended to read:

561 48.111 Service on public agencies and officers.—

562 (1) Process against any municipal corporation, agency,  
563 board, or commission, department, or subdivision of the state or  
564 any county which has a governing board, council, or commission  
565 or which is a body corporate shall be served:

566 (a) On the registered agent; or

567 (b) If the municipal corporation, agency, board, or  
568 commission, department, or subdivision of the state does not  
569 have a registered agent, or if the registered agent cannot  
570 otherwise be served after one good faith attempt:

571 1.(a) On the president, mayor, chair, or other head  
572 thereof; and in the his or her absence of all persons listed in  
573 this subparagraph;

574 2.(b) On the vice president, vice mayor, or vice chair, or  
575 in the absence of all persons listed in subparagraph 1. and this

576 subparagraph of the above;

577 3.(e) On any member of the governing board, council, or  
 578 commission, the manager of the governmental entity, if any, or  
 579 an in-house attorney for the governmental entity, if any, and in  
 580 the absence of all the persons listed in subparagraph 1.,  
 581 subparagraph 2., and this subparagraph;

582 4. On any employee of the governmental entity at the main  
 583 office of the governmental entity.

584 Section 10. Subsection (2) of section 48.151, Florida  
 585 Statutes, is amended to read:

586 48.151 Service on statutory agents for certain persons.—

587 (2) This section does not apply to substituted service of  
 588 process under s. 48.161 or s. 48.181 ~~on nonresidents.~~

589 Section 11. Section 48.161, Florida Statutes, is amended  
 590 to read:

591 48.161 Method of substituted service on nonresident.—

592 (1) When authorized by law, substituted service of process  
 593 on a nonresident individual or a corporation or other business  
 594 entity incorporated or formed under the laws of any other state,  
 595 territory, or commonwealth, or the laws of any foreign country,  
 596 ~~may or a person who conceals his or her whereabouts by serving a~~  
 597 ~~public officer designated by law shall~~ be made by sending  
 598 ~~leaving~~ a copy of the process to the office of the Secretary of  
 599 State by personal delivery; by registered mail; with a fee of  
 600 ~~\$8.75 with the public officer or in his or her office or by~~



601 ~~mailing the copies~~ by certified mail, return receipt requested;  
 602 by use of a commercial firm regularly engaged in the business of  
 603 document or package delivery; or by electronic transmission to  
 604 ~~the public officer with the fee.~~ The service is sufficient  
 605 service on a party that ~~defendant who~~ has appointed or is deemed  
 606 to have appointed the Secretary of State a public officer as  
 607 such party's ~~his or her~~ agent for the service of process. The  
 608 Secretary of State shall keep a record of all process served on  
 609 the Secretary of State showing the day and hour of service.

610 (2) Notice of service and a copy of the process ~~must~~ shall  
 611 be sent forthwith by the party effectuating service or by such  
 612 party's attorney by registered mail; by ~~registered or~~ certified  
 613 mail, return receipt requested; or by use of a commercial firm  
 614 regularly engaged in the business of document or package  
 615 delivery. In addition, if the parties have recently and  
 616 regularly used e-mail or other electronic means to communicate  
 617 between themselves, the notice of service and a copy of the  
 618 process must be sent by such electronic means or, if the party  
 619 is being served by substituted service, the notice of service  
 620 and a copy of the process must be served at such party's last  
 621 known physical address and, if applicable, last known electronic  
 622 address. The party effectuating service shall file proof of  
 623 service or return receipts showing delivery to the other party  
 624 by mail or courier and by electronic means, if electronic means  
 625 were used, unless the party is actively refusing or rejecting

626 the delivery of the notice. An ~~by the plaintiff or his or her~~  
627 ~~attorney to the defendant, and the defendant's return receipt~~  
628 ~~and the affidavit of compliance of the party effectuating~~  
629 service plaintiff or such party's ~~his or her attorney must of~~  
630 ~~compliance shall be filed within 40 days after~~ ~~on or before the~~  
631 date ~~return day~~ of service on the Secretary of State ~~process~~ or  
632 within such additional time as the court allows. The affidavit  
633 of compliance must set forth the facts that justify substituted  
634 service under this section and that show due diligence was  
635 exercised in attempting to locate and effectuate personal  
636 service on the party before using substituted service under this  
637 section. The party effectuating service does not need to allege  
638 in its original or amended complaint the facts required to be  
639 set forth in the affidavit of compliance.

640 (3) When an individual or a business entity conceals its  
641 whereabouts, the party seeking to effectuate service, after  
642 exercising due diligence to locate and effectuate personal  
643 service, may use substituted service pursuant to subsection (1)  
644 in connection with any action in which the court has  
645 jurisdiction over such individual or business entity. The party  
646 seeking to effectuate service must also comply with subsection  
647 (2); however, a return receipt or other proof showing acceptance  
648 of receipt of the notice of service and a ~~, or the notice and~~  
649 copy of the ~~shall be served on the defendant, if found within~~  
650 ~~the state, by an officer authorized to serve legal process by~~

651 ~~the concealed party need not be filed, or if found without the~~  
652 ~~state, by a sheriff or a deputy sheriff of any county of this~~  
653 ~~state or any duly constituted public officer qualified to serve~~  
654 ~~like process in the state or jurisdiction where the defendant is~~  
655 ~~found. The officer's return showing service shall be filed on or~~  
656 ~~before the return day of the process or within such time as the~~  
657 ~~court allows. The fee paid by the plaintiff to the public~~  
658 ~~officer shall be taxed as cost if he or she prevails in the~~  
659 ~~action. The public officer shall keep a record of all process~~  
660 ~~served on him or her showing the day and hour of service.~~

661 (4) The party effectuating service is considered to have  
662 used due diligence if that party:

663 (a) Made diligent inquiry and exerted an honest and  
664 conscientious effort appropriate to the circumstances to acquire  
665 the information necessary to effectuate personal service;

666 (b) In seeking to effectuate personal service, reasonably  
667 employed the knowledge at the party's command, including  
668 knowledge obtained pursuant to paragraph (a); and

669 (c) Made an appropriate number of attempts to serve the  
670 party, taking into account the particular circumstances, during  
671 such times when and where such party is reasonably likely to be  
672 found, as determined through resources reasonably available to  
673 the party seeking to secure service of process.

674 (5)(2) If any individual ~~person~~ on whom service of process  
675 is authorized under subsection (1) dies, service may be made in

676 | the same manner on his or her administrator, executor, curator,  
 677 | or personal representative ~~in the same manner~~.

678 | ~~(6)-(3)~~ This section does not apply to persons on whom  
 679 | service is authorized under s. 48.151.

680 | ~~(7)-(4)~~ The Secretary of State ~~public officer~~ may designate  
 681 | an individual ~~some other person~~ in his or her office to accept  
 682 | service.

683 | (8) Service of process is effectuated under this section  
 684 | on the date the service is received by the Department of State.

685 | (9) The Department of State shall maintain a record of  
 686 | each process served pursuant to this section and record the time  
 687 | of and the action taken regarding the service.

688 | Section 12. Section 48.181, Florida Statutes, is amended  
 689 | to read:

690 | 48.181 Substituted service on nonresidents and foreign  
 691 | business entities ~~nonresident~~ engaging in business in state or  
 692 | concealing their whereabouts.-

693 | (1) As used in this section, the term "foreign business  
 694 | entity" means any corporation or other business entity that is  
 695 | incorporated, formed, or existing under the laws of any other  
 696 | state, territory, or commonwealth, or the laws of any foreign  
 697 | country.

698 | (2) The acceptance by any individual ~~person or persons,~~  
 699 | ~~individually or associated together as a copartnership or any~~  
 700 | ~~other form or type of association,~~ who is a resident are

701 ~~residents~~ of any other state, territory, or commonwealth, or of  
 702 any foreign ~~or~~ country, or by any foreign business entity and  
 703 ~~all foreign corporations, and any person who is a resident of~~  
 704 ~~the state and who subsequently becomes a nonresident of the~~  
 705 ~~state or conceals his or her whereabouts,~~ of the privilege  
 706 extended by law to nonresidents ~~and others~~ to operate, conduct,  
 707 engage in, or carry on a business or business venture in this  
 708 ~~the~~ state, or to have an office or agency in this ~~the~~ state, is  
 709 deemed to constitute ~~constitutes~~ an appointment by the  
 710 individual or persons ~~and foreign business entity corporations~~  
 711 of the Secretary of State of this ~~the~~ state as its ~~their~~ agent  
 712 on whom ~~all~~ process in any action or proceeding against the  
 713 individual or foreign business entity ~~them,~~ or any combination  
 714 thereof ~~of them,~~ arising out of any transaction or operation  
 715 connected with or incidental to the business or business venture  
 716 may be served as substituted service in accordance with this  
 717 chapter. The acceptance of the privilege is signification of the  
 718 agreement of the respective individual or persons ~~and foreign~~  
 719 business entity corporations that the process served against it  
 720 in accordance with this chapter ~~them which is so served~~ is of  
 721 the same validity as if served personally on the individual  
 722 ~~persons~~ or foreign business entity corporations.

723 (3)-(2) If a foreign business entity corporation has  
 724 registered to do business ~~a resident agent or officer~~ in this  
 725 ~~the~~ state and has maintained its registration in an active

726 status or otherwise continued to have a registered agent,  
727 personal service of process must first shall be attempted served  
728 on the foreign business entity in the manner and order of  
729 priority described in this chapter as applicable to the foreign  
730 business entity. If, after due diligence, the party seeking to  
731 effectuate service of process is unable to effectuate service of  
732 process on the registered agent or other official as provided in  
733 this chapter, the party may use substituted service of process  
734 on the Secretary of State resident agent or officer.

735 (4) Any individual or foreign business entity that  
736 conceals its whereabouts is deemed to have appointed the  
737 Secretary of State as its agent on whom all process may be  
738 served in any action or proceeding against it, or any  
739 combination thereof, arising out of any transaction or operation  
740 connected with or incidental to any business or business venture  
741 carried on in this state by such individual or foreign business  
742 entity.

743 (5)-(3) Any individual or foreign business entity that  
744 ~~person, firm, or corporation which~~ sells, consigns, or leases by  
745 any means whatsoever tangible or intangible personal property,  
746 through brokers, jobbers, wholesalers, or distributors to any  
747 individual person, firm, or corporation, or other business  
748 entity in this state is conclusively presumed to be both engaged  
749 in substantial and not isolated activities within this state and  
750 operating, conducting, engaging in, or carrying on a business or

751 business venture in this state.

752 (6) Service pursuant to this section must be effectuated  
753 in the manner prescribed by s. 48.161.

754 Section 13. Section 48.184, Florida Statutes, is created  
755 to read:

756 48.184 Service of process for removal of unknown parties  
757 in possession.—

758 (1) This section applies only to actions governed by s.  
759 82.03, s. 83.21, s. 83.59, or s. 723.061 and only to the extent  
760 that such actions seek relief for the removal of unknown parties  
761 in possession of real property. The provisions of this section  
762 are cumulative to other provisions of law or rules of court  
763 about service of process, and all other such provisions are  
764 cumulative to this section.

765 (2) A summons must be issued in the name of "Unknown Party  
766 in Possession" when the name of an occupant of real property is  
767 not known to the plaintiff and the property occupied by the  
768 unknown party is identified in the complaint and summons. A  
769 separate summons must be issued for each such unknown occupant.

770 (3) The plaintiff shall attempt to serve the summons on  
771 any unknown occupant of the property described in the summons  
772 and complaint. If service on the unknown occupant is not  
773 effectuated on the first attempt, at least two additional  
774 attempts must be made. The three attempts to obtain service must  
775 be made once during business hours, once during nonbusiness

776 hours, and once during a weekend. The process server shall make  
777 an inquiry as to the name of the unknown occupant at the time of  
778 service. The return of service must note the name of the  
779 occupant if obtained by the process server or state that the  
780 name of the occupant could not be obtained after inquiry. If the  
781 name of the occupant becomes known to the plaintiff through the  
782 return of service or otherwise, without notice or hearing  
783 thereon, all subsequent proceedings must be conducted under the  
784 true name of such occupant and all prior proceedings are deemed  
785 amended accordingly.

786 (4) Service of process must also be made on unknown  
787 occupants by both of the following means:

788 (a) By attaching the summons and complaint to a  
789 conspicuous location on the premises involved in the  
790 proceedings.

791 (b) Upon issuance of the summons, by the plaintiff  
792 providing the clerk of the court with one additional copy of the  
793 summons and complaint for each unknown occupant and a prestamped  
794 envelope for each unknown occupant addressed to the unknown  
795 occupant at the address of the premises involved in the  
796 proceedings. The clerk of the court shall immediately mail a  
797 copy of the summons and complaint by first-class mail, note the  
798 fact of mailing in the docket, and file a certificate in the  
799 court file of the fact and date of mailing. The clerk of the  
800 court shall charge such fees for such services as provided by



801 law.

802 (5) Service is effective on the unknown occupant in  
 803 possession on the later of the date that personal service is  
 804 made, the date of attaching the summons and complaint to a  
 805 conspicuous location on the premises, or upon mailing by the  
 806 clerk.

807 (6) The judgment and writ of possession must refer to any  
 808 unknown occupant in possession by name if the name is shown on  
 809 the return of service or is otherwise known to the plaintiff. If  
 810 the name of any unknown occupant in possession is not shown on  
 811 the return of service or otherwise known to the plaintiff and  
 812 service has been effectuated as provided in this section, the  
 813 judgment and writ of possession must refer to each such person  
 814 as "Unknown Party in Possession," and the writ of possession  
 815 must be executed by the sheriff by dispossessing the occupants  
 816 and placing the plaintiff in possession of the property.

817 Section 14. Subsections (1) and (2) of section 48.194,  
 818 Florida Statutes, are amended to read:

819 48.194 Personal service in another ~~outside~~ state,  
 820 territory, or commonwealth of the United States.—

821 (1) Except as otherwise provided herein, service of  
 822 process on a party in another ~~persons outside of this state,~~  
 823 territory, or commonwealth of the United States must ~~shall~~ be  
 824 made in the same manner as service within this state by any  
 825 person authorized to serve process in the state where service

826 shall be made the person is served. No order of court is  
 827 required. A ~~court may consider the~~ return-of-service form  
 828 described in s. 48.21, or any other competent evidence, must be  
 829 filed with the court stating the time, manner, and place of  
 830 service. The court may consider such evidence in determining  
 831 whether service has been properly made. ~~Service of process on~~  
 832 ~~persons outside the United States may be required to conform to~~  
 833 ~~the provisions of the Hague Convention on the Service Abroad of~~  
 834 ~~Judicial and Extrajudicial Documents in Civil or Commercial~~  
 835 ~~Matters.~~

836 (2) When ~~Where~~ in rem or quasi in rem relief is sought in  
 837 a foreclosure proceeding as defined by s. 702.09, and the  
 838 address of the person to be served is known, service of process  
 839 on a person in another state, territory, or commonwealth ~~outside~~  
 840 ~~of the United States~~ this state where the address of the person  
 841 ~~to be served is known~~ may be made by registered mail as follows:

842 (a) The party's attorney or the party, if the party is not  
 843 represented by an attorney, shall place a copy of the original  
 844 process and the complaint, petition, or other initial pleading  
 845 or paper and, if applicable, the order to show cause issued  
 846 pursuant to s. 702.10 in a sealed envelope with adequate postage  
 847 addressed to the person to be served.

848 (b) The envelope must ~~shall~~ be placed in the mail as  
 849 registered mail.

850 (c) Service under this subsection is deemed ~~shall be~~

851 ~~considered~~ obtained upon the signing of the return receipt by  
852 the person allowed to be served by law.

853 Section 15. Section 48.197, Florida Statutes, is created  
854 to read:

855 48.197 Service in a foreign country.-

856 (1) Service of process may be effectuated in a foreign  
857 country upon a party, other than a minor or an incompetent  
858 person, as provided in any of the following:

859 (a) By any internationally agreed-upon means of service  
860 reasonably calculated to give actual notice of the proceedings,  
861 such as those authorized by the Hague Convention on the Service  
862 Abroad of Judicial and Extrajudicial Documents in Civil or  
863 Commercial Matters.

864 (b) If there is no internationally agreed-upon means of  
865 service, or if an international agreement allows but does not  
866 specify other means, by a method reasonably calculated to give  
867 actual notice of the proceedings:

868 1. As prescribed by the foreign country's law for service  
869 in that country in an action in its courts of general  
870 jurisdiction;

871 2. As the foreign authority directs in response to a  
872 letter rogatory or letter of request; or

873 3. Unless prohibited by the foreign country's law, by:

874 a. If serving an individual, delivering a copy of the  
875 summons and of the complaint to the individual personally; or

876 b. Using any form of mail that the clerk addresses and  
877 sends to the party and which requires a signed receipt.

878 (c) Pursuant to motion and order by the court, by other  
879 means, including electronically by e-mail or other technology,  
880 which the party seeking service shows is reasonably calculated  
881 to give actual notice of the proceedings and is not prohibited  
882 by international agreement, as the court orders.

883 (2) Service of process may be effectuated in a foreign  
884 country upon a minor or an incompetent person in the manner  
885 prescribed by subparagraph (1) (b) 1., subparagraph (1) (b) 2., or  
886 paragraph (1) (c).

887 Section 16. Subsection (15) of section 49.011, Florida  
888 Statutes, is amended to read:

889 49.011 Service of process by publication; cases in which  
890 allowed.—Service of process by publication may be made in any  
891 court on any party identified in s. 49.021 in any action or  
892 proceeding:

893 (15) To determine paternity, but only as to:

894 (a) The legal father in a paternity action in which  
895 another man is alleged to be the biological father, in which  
896 case it is necessary to serve process on the legal father in  
897 order to establish paternity with regard to the alleged  
898 biological father; or

899 (b) The legal mother when there is no legal father.

900 Section 17. Effective upon this act becoming a law,

901 subsection (2), paragraph (a) of subsection (3), and subsection  
 902 (4) of section 766.106, Florida Statutes, are amended to read:

903 766.106 Notice before filing action for medical  
 904 negligence; presuit screening period; offers for admission of  
 905 liability and for arbitration; informal discovery; review.—

906 (2) PRESUIT NOTICE.—

907 (a) After completion of presuit investigation pursuant to  
 908 s. 766.203(2) and before ~~prior to~~ filing a complaint for medical  
 909 negligence, a claimant shall notify each prospective defendant  
 910 of intent to initiate litigation for medical negligence by at  
 911 least one of the following verifiable means:

912 1. United States Postal Service certified mail, return  
 913 receipt requested;

914 2. United States Postal Service mail with a tracking  
 915 number;

916 3. An interstate commercial mail carrier or delivery  
 917 service; or

918 4. Any person authorized by law to serve process.

919 (b)1. Proof of service made pursuant to this subsection  
 920 and delivered to an address on file with the Department of  
 921 Health, the Secretary of State, or the Agency for Health Care  
 922 Administration creates a rebuttable presumption that service was  
 923 received by the prospective defendant.

924 2. If service is challenged during subsequent litigation,  
 925 the court must conduct an evidentiary hearing to determine

926 whether the prospective defendant or a person legally related to  
927 the prospective defendant was provided notice pursuant to this  
928 subsection and, if so, the date of such service. If service is  
929 challenged under this subparagraph, it must be challenged in the  
930 first response to the complaint, and if:

931 a. The court determines that service was properly made at  
932 the prospective defendant's address as listed on the state  
933 licensing agency website or an address on file with the  
934 Secretary of State; and

935 b. The prospective defendant proves by the greater weight  
936 of the evidence that neither the prospective defendant nor a  
937 person legally related to the prospective defendant at the time  
938 of service knew or should have known of the service,

939  
940 the court must stay the case for a presuit investigation period  
941 pursuant to s. 766.106 and the statute of limitations and  
942 statute of repose must be tolled from the time service was  
943 properly made at the prospective defendant's address as listed  
944 on the state licensing agency website or an address on file with  
945 the Secretary of State. The tolling shall end at the conclusion  
946 of the presuit investigation period provided for in this  
947 subsection and the stay of litigation shall automatically end at  
948 the conclusion of the presuit investigation period ~~by certified~~  
949 mail, return receipt requested, of intent to initiate litigation  
950 for medical negligence.

951           (c) Notice to each prospective defendant must include, if  
 952 available, a list of all known health care providers seen by the  
 953 claimant for the injuries complained of subsequent to the  
 954 alleged act of negligence, all known health care providers  
 955 during the 2-year period before ~~prior to~~ the alleged act of  
 956 negligence who treated or evaluated the claimant, copies of all  
 957 of the medical records relied upon by the expert in signing the  
 958 affidavit, and the executed authorization form provided in s.  
 959 766.1065.

960           (d) ~~(b)~~ Following the initiation of a suit alleging medical  
 961 negligence with a court of competent jurisdiction, and service  
 962 of the complaint upon a prospective defendant, the claimant  
 963 shall provide a copy of the complaint to the Department of  
 964 Health and, if the complaint involves a facility licensed under  
 965 chapter 395, the Agency for Health Care Administration. The  
 966 requirement of providing the complaint to the Department of  
 967 Health or the Agency for Health Care Administration does not  
 968 impair the claimant's legal rights or ability to seek relief for  
 969 his or her claim. The Department of Health or the Agency for  
 970 Health Care Administration shall review each incident that is  
 971 the subject of the complaint and determine whether it involved  
 972 conduct by a licensee which is potentially subject to  
 973 disciplinary action, in which case, for a licensed health care  
 974 practitioner, ~~the provisions of s. 456.073~~ applies ~~apply~~ and,  
 975 for a licensed facility, ~~the provisions of~~ part I of chapter 395

976 applies ~~apply~~.

977 (3) PRESUIT INVESTIGATION BY PROSPECTIVE DEFENDANT.—

978 (a) A ~~ne~~ suit may not be filed for a period of 90 days  
 979 after notice is delivered ~~mailed~~ to any prospective defendant.  
 980 During the 90-day period, the prospective defendant or the  
 981 prospective defendant's insurer or self-insurer shall conduct a  
 982 review as provided in s. 766.203(3) to determine the liability  
 983 of the prospective defendant. Each insurer or self-insurer shall  
 984 have a procedure for the prompt investigation, review, and  
 985 evaluation of claims during the 90-day period. This procedure  
 986 must ~~shall~~ include one or more of the following:

- 987 1. Internal review by a duly qualified claims adjuster;
- 988 2. Creation of a panel comprised of an attorney  
 989 knowledgeable in the prosecution or defense of medical  
 990 negligence actions, a health care provider trained in the same  
 991 or similar medical specialty as the prospective defendant, and a  
 992 duly qualified claims adjuster;
- 993 3. A contractual agreement with a state or local  
 994 professional society of health care providers, which maintains a  
 995 medical review committee; or
- 996 4. Any other similar procedure which fairly and promptly  
 997 evaluates the pending claim.

998  
 999 Each insurer or self-insurer shall investigate the claim in good  
 1000 faith, and both the claimant and prospective defendant shall



1001 cooperate with the insurer in good faith. If the insurer  
 1002 requires, a claimant must ~~shall~~ appear before a pretrial  
 1003 screening panel or before a medical review committee and shall  
 1004 submit to a physical examination, if required. Unreasonable  
 1005 failure of any party to comply with this section justifies  
 1006 dismissal of claims or defenses. There shall be no civil  
 1007 liability for participation in a pretrial screening procedure if  
 1008 done without intentional fraud.

1009 (4) SERVICE OF PRESUIT NOTICE AND TOLLING.—The notice of  
 1010 intent to initiate litigation must ~~shall~~ be served within the  
 1011 time limits set forth in s. 95.11. However, upon mailing of the  
 1012 notice of intent to initiate litigation, as provided in  
 1013 subparagraph (2)(a)1., subparagraph (2)(a)2., or subparagraph  
 1014 (2)(a)3., and during the 90-day period provided in subsection  
 1015 (3), the statute of limitations is tolled as to all prospective  
 1016 ~~potential~~ defendants. If the notice of intent to initiate  
 1017 litigation is served by a process server as provided in  
 1018 subparagraph (2)(a)4., the statute of limitations is tolled upon  
 1019 the process server's first attempt to serve the prospective  
 1020 defendant and continues during the 90-day period as to all  
 1021 prospective defendants. Upon stipulation by the parties, the 90-  
 1022 day period may be extended and the statute of limitations is  
 1023 tolled during any such extension. Upon receiving notice of  
 1024 termination of negotiations in an extended period, the claimant  
 1025 shall have 60 days or the remainder of the period of the statute

1026 of limitations, whichever is greater, within which to file suit.  
 1027 As used in this section, the terms "prospective" and "potential"  
 1028 are interchangeable.

1029 Section 18. Section 495.145, Florida Statutes, is amended  
 1030 to read:

1031 495.145 Forum for actions regarding registration.—An  
 1032 action seeking cancellation of a registration of a mark  
 1033 registered under this chapter may be brought in any court of  
 1034 competent jurisdiction in this state. Service of process on a  
 1035 nonresident registrant may be made in accordance with ss. 48.161  
 1036 and 48.181 ~~s. 48.181~~. The department may ~~shall~~ not be made a  
 1037 party to cancellation proceedings.

1038 Section 19. Section 605.0117, Florida Statutes, is amended  
 1039 to read:

1040 605.0117 Serving ~~Service of~~ process, giving notice, or  
 1041 making a demand.—

1042 (1) Process against a limited liability company or  
 1043 registered foreign limited liability company may be served in  
 1044 accordance with s. 48.062 and chapter 48 or chapter 49 ~~with~~  
 1045 ~~process required or authorized by law by serving on its~~  
 1046 ~~registered agent.~~

1047 ~~(2) If a limited liability company or registered foreign~~  
 1048 ~~limited liability company ceases to have a registered agent or~~  
 1049 ~~if its registered agent cannot with reasonable diligence be~~  
 1050 ~~served, the process required or permitted by law may instead be~~

1051 served:

1052       ~~(a) On a member of a member-managed limited liability~~  
 1053 ~~company or registered foreign limited liability company; or~~

1054       ~~(b) On a manager of a manager-managed limited liability~~  
 1055 ~~company or registered foreign limited liability company.~~

1056       ~~(3) If the process cannot be served on a limited liability~~  
 1057 ~~company or registered foreign limited liability company pursuant~~  
 1058 ~~to subsection (1) or subsection (2), the process may be served~~  
 1059 ~~on the secretary of state as an agent of the company.~~

1060       ~~(4) Service of process on the secretary of state may be~~  
 1061 ~~made by delivering to and leaving with the department duplicate~~  
 1062 ~~copies of the process.~~

1063       ~~(5) Service is effectuated under subsection (3) on the~~  
 1064 ~~date shown as received by the department.~~

1065       ~~(6) The department shall keep a record of each process~~  
 1066 ~~served pursuant to this section and record the time of and the~~  
 1067 ~~action taken regarding the service.~~

1068       (2)-(7) Any notice or demand on a limited liability company  
 1069 or registered foreign limited liability company under this  
 1070 chapter may be given or made to any member of a member-managed  
 1071 limited liability company or registered foreign limited  
 1072 liability company or to any manager of a manager-managed limited  
 1073 liability company or registered foreign limited liability  
 1074 company; to the registered agent of the limited liability  
 1075 company or registered foreign limited liability company at the

1076 registered office of the limited liability company or registered  
 1077 foreign limited liability company in this state; or to any other  
 1078 address in this state which ~~that~~ is in fact the principal office  
 1079 of the limited liability company or registered foreign limited  
 1080 liability company in this state.

1081 (3) A registered series of a foreign series limited  
 1082 liability company may be served in the same manner as a  
 1083 registered limited liability company.

1084 (4)~~(8)~~ This section does not affect the right to serve  
 1085 process, give notice, or make a demand in any other manner  
 1086 provided by law.

1087 Section 20. Subsection (1) of section 605.09091, Florida  
 1088 Statutes, is amended to read:

1089 605.09091 Judicial review of denial of reinstatement.—

1090 (1) If the department denies a foreign limited liability  
 1091 company's application for reinstatement after revocation of its  
 1092 certificate of authority, the department must ~~shall~~ serve the  
 1093 foreign limited liability company, pursuant to s. 605.0117(2) ~~s.~~  
 1094 ~~605.0117(7)~~, with a written notice that explains the reason or  
 1095 reasons for the denial.

1096 Section 21. Paragraphs (f) and (g) of subsection (1) and  
 1097 subsection (2) of section 605.0910, Florida Statutes, are  
 1098 amended to read:

1099 605.0910 Withdrawal and cancellation of certificate of  
 1100 authority.—

1101 (1) To cancel its certificate of authority to transact  
 1102 business in this state, a foreign limited liability company must  
 1103 deliver to the department for filing a notice of withdrawal of  
 1104 certificate of authority. The certificate of authority is  
 1105 canceled when the notice becomes effective pursuant to s.  
 1106 605.0207. The notice of withdrawal of certificate of authority  
 1107 must be signed by an authorized representative and state the  
 1108 following:

1109 (f) A mailing address and an e-mail address to which a  
 1110 party seeking to effectuate service of process ~~the department~~  
 1111 may send mail a copy of any process served on the Secretary of  
 1112 State under paragraph (e).

1113 (g) A commitment to notify the department in the future of  
 1114 any change in its mailing address or e-mail address.

1115 (2) After the withdrawal of the foreign limited liability  
 1116 company is effective, service of process on the Secretary of  
 1117 State using the procedures set forth in s. 48.161 ~~under this~~  
 1118 ~~section~~ is service on the foreign limited liability company.  
 1119 ~~Upon receipt of the process, the department shall mail a copy of~~  
 1120 ~~the process to the foreign limited liability company at the~~  
 1121 ~~mailing address set forth under paragraph (1) (f).~~

1122 Section 22. Paragraph (f) of subsection (2) of section  
 1123 605.1045, Florida Statutes, is amended to read:

1124 605.1045 Articles of conversion.—

1125 (2) The articles of conversion must contain the following:

1126 (f) If the converted entity is a foreign entity that does  
 1127 not have a certificate of authority to transact business in this  
 1128 state, a mailing address and an e-mail address to which a party  
 1129 seeking to effectuate service of process ~~the department~~ may send  
 1130 any process served on the Secretary of State ~~department~~ pursuant  
 1131 to s. 605.0117 and chapter 48.

1132 Section 23. Section 607.0504, Florida Statutes, is amended  
 1133 to read:

1134 607.0504 Serving ~~Service of~~ process, giving notice, or  
 1135 making a demand on a corporation.—

1136 (1) A corporation may be served with process required or  
 1137 authorized by law in accordance with s. 48.081 and chapter 48 or  
 1138 chapter 49 ~~by serving on its registered agent.~~

1139 ~~(2) If a corporation ceases to have a registered agent or~~  
 1140 ~~if its registered agent cannot with reasonable diligence be~~  
 1141 ~~served, the process required or permitted by law may instead be~~  
 1142 ~~served on the chair of the board, the president, any vice~~  
 1143 ~~president, the secretary, or the treasurer of the corporation at~~  
 1144 ~~the principal office of the corporation in this state.~~

1145 ~~(3) If the process cannot be served on a corporation~~  
 1146 ~~pursuant to subsection (1) or subsection (2), the process may be~~  
 1147 ~~served on the secretary of state as an agent of the corporation.~~

1148 ~~(4) Service of process on the secretary of state shall be~~  
 1149 ~~made by delivering to and leaving with the department duplicate~~  
 1150 ~~copies of the process.~~

1151 ~~(5) Service is effectuated under subsection (3) on the~~  
 1152 ~~date shown as received by the department.~~

1153 ~~(6) The department shall keep a record of each process~~  
 1154 ~~served on the secretary of state pursuant to this subsection and~~  
 1155 ~~record the time of and the action taken regarding the service.~~

1156 (2)~~(7)~~ Any notice or demand on a corporation under this  
 1157 chapter may be given or made to the chair of the board, the  
 1158 president, any vice president, the secretary, or the treasurer  
 1159 of the corporation; to the registered agent of the corporation  
 1160 at the registered office of the corporation in this state; or to  
 1161 any other address in this state which ~~that~~ is in fact the  
 1162 principal office of the corporation in this state.

1163 (3)~~(8)~~ This section does not affect the right to serve  
 1164 process, give notice, or make a demand in any other manner  
 1165 provided by law.

1166 Section 24. Subsection (1) of section 607.1423, Florida  
 1167 Statutes, is amended to read:

1168 607.1423 Judicial review of denial of reinstatement.—

1169 (1) If the department denies a corporation's application  
 1170 for reinstatement after administrative dissolution, the  
 1171 department must ~~shall~~ serve the corporation under ~~either~~ s.  
 1172 607.0504(1) ~~or (2)~~ with a written notice that explains the  
 1173 reason or reasons for denial.

1174 Section 25. Section 607.15101, Florida Statutes, is  
 1175 amended to read:

1176           607.15101 Serving ~~Service~~ of process, giving notice, or  
 1177 making a demand on a foreign corporation.—

1178           (1) A foreign corporation may be served with process  
 1179 required or authorized by law in accordance with s. 48.081 and  
 1180 chapter 48 or chapter 49 ~~by serving on its registered agent.~~

1181           ~~(2) If a foreign corporation ceases to have a registered~~  
 1182 ~~agent or if its registered agent cannot with reasonable~~  
 1183 ~~diligence be served, the process required or permitted by law~~  
 1184 ~~may instead be served on the chair of the board, the president,~~  
 1185 ~~any vice president, the secretary, or the treasurer of the~~  
 1186 ~~foreign corporation at the principal office of the foreign~~  
 1187 ~~corporation in this state.~~

1188           ~~(3) If the process cannot be served on a foreign~~  
 1189 ~~corporation pursuant to subsection (1) or subsection (2), the~~  
 1190 ~~process may be served on the secretary of state as an agent of~~  
 1191 ~~the foreign corporation.~~

1192           ~~(4) Service of process on the secretary of state may be~~  
 1193 ~~made by delivering to and leaving with the department duplicate~~  
 1194 ~~copies of the process.~~

1195           ~~(5) Service is effectuated under subsection (3) on the~~  
 1196 ~~date shown as received by the department.~~

1197           ~~(6) The department shall keep a record of each process~~  
 1198 ~~served on the secretary of state pursuant to this section and~~  
 1199 ~~record the time of and the action taken regarding the service.~~

1200           (2)-(7) Any notice or demand on a foreign corporation under



1201 this chapter may be given or made to the chair of the board,  
1202 the president, any vice president, the secretary, or the  
1203 treasurer of the foreign corporation; to the registered agent of  
1204 the foreign corporation at the registered office of the foreign  
1205 corporation in this state; or to any other address in this state  
1206 which ~~that~~ is in fact the principal office of the foreign  
1207 corporation in this state.

1208 (3) ~~(8)~~ This section does not affect the right to serve  
1209 process, give notice, or make a demand in any other manner  
1210 provided by law.

1211 Section 26. Paragraphs (f) and (g) of subsection (1) and  
1212 subsection (2) of section 607.1520, Florida Statutes, are  
1213 amended to read:

1214 607.1520 Withdrawal and cancellation of certificate of  
1215 authority for foreign corporation.—

1216 (1) To cancel its certificate of authority to transact  
1217 business in this state, a foreign corporation must deliver to  
1218 the department for filing a notice of withdrawal of certificate  
1219 of authority. The certificate of authority is canceled when the  
1220 notice of withdrawal becomes effective pursuant to s. 607.0123.  
1221 The notice of withdrawal of certificate of authority must be  
1222 signed by an officer or director and state the following:

1223 (f) A mailing address and an e-mail address to which a  
1224 party seeking to effectuate service of process ~~the secretary of~~  
1225 ~~state~~ may send ~~mail~~ a copy of any process served on the

1226 Secretary of State under paragraph (e).

1227 (g) A commitment to notify the department in the future of  
 1228 any change in its mailing address or e-mail address.

1229 (2) After the withdrawal of the foreign corporation is  
 1230 effective, service of process on the Secretary of State using  
 1231 the procedures in s. 48.161 ~~under this section~~ is service on the  
 1232 foreign corporation. ~~Upon receipt of the process, the secretary~~  
 1233 ~~of state shall mail a copy of the process to the foreign~~  
 1234 ~~corporation at the mailing address set forth under paragraph~~  
 1235 ~~(1)(f).~~

1236 Section 27. Subsections (1) and (3) of section 617.0504,  
 1237 Florida Statutes, are amended to read:

1238 617.0504 Serving ~~Service of~~ process, giving notice, or  
 1239 making a demand on a corporation.-

1240 (1) Process against any corporation may be served in  
 1241 accordance with s. 48.081 and chapter 48 or chapter 49.

1242 (3) This section does not prescribe the only means, or  
 1243 necessarily the required means, of serving process, giving  
 1244 notice, or making a demand on a corporation.

1245 Section 28. Section 617.1510, Florida Statutes, is amended  
 1246 to read:

1247 617.1510 Serving ~~Service of~~ process, giving notice, or  
 1248 making a demand on a foreign corporation.-

1249 (1) Process against a foreign corporation may be served in  
 1250 accordance with s. 48.081 and chapter 48 or chapter 49 ~~The~~

1251 ~~registered agent of a foreign corporation authorized to conduct~~  
1252 ~~its affairs in this state is the corporation's agent for service~~  
1253 ~~of process, notice, or demand required or permitted by law to be~~  
1254 ~~served on the foreign corporation.~~

1255 ~~(2) A foreign corporation may be served by registered or~~  
1256 ~~certified mail, return receipt requested, addressed to the~~  
1257 ~~secretary of the foreign corporation at its principal office~~  
1258 ~~shown in its application for a certificate of authority or in~~  
1259 ~~its most recent annual report if the foreign corporation:~~

1260 ~~(a) Has no registered agent or its registered agent cannot~~  
1261 ~~with reasonable diligence be served;~~

1262 ~~(b) Has withdrawn from conducting its affairs in this~~  
1263 ~~state under s. 617.1520; or~~

1264 ~~(c) Has had its certificate of authority revoked under s.~~  
1265 ~~617.1531.~~

1266 ~~(3) Service is perfected under subsection (2) at the~~  
1267 ~~earliest of:~~

1268 ~~(a) The date the foreign corporation receives the mail;~~

1269 ~~(b) The date shown on the return receipt, if signed on~~  
1270 ~~behalf of the foreign corporation; or~~

1271 ~~(c) Five days after its deposit in the United States mail,~~  
1272 ~~as evidenced by the postmark, if mailed postpaid and correctly~~  
1273 ~~addressed.~~

1274 ~~(4) This section does not prescribe the only means, or~~  
1275 ~~necessarily the required means, of serving a foreign~~

1276 ~~corporation. Process against any foreign corporation may also be~~  
 1277 ~~served in accordance with chapter 48 or chapter 49.~~

1278 ~~(2)-(5)~~ Any notice to or demand on a foreign corporation  
 1279 made pursuant to this act may be made in accordance with the  
 1280 procedures for notice to or demand on domestic corporations  
 1281 under s. 617.0504.

1282 Section 29. Subsections (2) and (3) of section 617.1520,  
 1283 Florida Statutes, are amended to read:

1284 617.1520 Withdrawal of foreign corporation.—

1285 (2) A foreign corporation authorized to conduct its  
 1286 affairs in this state may apply for a certificate of withdrawal  
 1287 by delivering an application to the Department of State for  
 1288 filing. The application must ~~shall~~ be made on forms prescribed  
 1289 and furnished by the Department of State and must ~~shall~~ set  
 1290 forth all of the following:

1291 (a) The name of the foreign corporation and the  
 1292 jurisdiction under the law under ~~of~~ which it is incorporated. †

1293 (b) That it is not conducting its affairs in this state  
 1294 and that it surrenders its authority to conduct its affairs in  
 1295 this state. †

1296 (c) That it revokes the authority of its registered agent  
 1297 to accept service on its behalf and appoints the Secretary of  
 1298 State ~~Department of State~~ as its agent for service of process  
 1299 based on a cause of action arising during the time it was  
 1300 authorized to conduct its affairs in this state. †

1301 (d) A mailing address and an e-mail address to which a  
 1302 party seeking to effectuate service of process ~~the Department of~~  
 1303 ~~State~~ may send mail a copy of any process served on it under  
 1304 paragraph (c) ~~;~~ and

1305 (e) A commitment to notify the Department of State in the  
 1306 future of any change in its mailing address or e-mail address.

1307 (3) After the withdrawal of the corporation is effective,  
 1308 service of process in accordance with s. 48.161 ~~on the~~  
 1309 ~~Department of State under this section~~ is service on the foreign  
 1310 corporation. ~~Upon receipt of the process, the Department of~~  
 1311 ~~State shall mail a copy of the process to the foreign~~  
 1312 ~~corporation at the mailing address set forth under subsection~~  
 1313 ~~(2).~~

1314 Section 30. Section 620.1117, Florida Statutes, is amended  
 1315 to read:

1316 620.1117 Serving Service of process, giving notice, or  
 1317 making a demand on a limited partnership or a foreign limited  
 1318 partnership.-

1319 (1) Service of process on a limited partnership or foreign  
 1320 limited partnership must be made in accordance with s. 48.061  
 1321 and chapter 48 or chapter 49 ~~A registered agent appointed by a~~  
 1322 ~~limited partnership or foreign limited partnership is an agent~~  
 1323 ~~of the limited partnership or foreign limited partnership for~~  
 1324 ~~service of any process, notice, or demand required or permitted~~  
 1325 ~~by law to be served upon the limited partnership or foreign~~

1326 ~~limited partnership.~~

1327       (2) Any notice or demand on a limited partnership or  
1328 foreign limited partnership under this chapter may be given or  
1329 made to any general partner of the limited partnership or  
1330 foreign limited partnership, to the registered agent of the  
1331 limited partnership or foreign limited partnership at the  
1332 registered office in this state, or to any other address in this  
1333 state which is in fact the principal office of the limited  
1334 partnership or foreign limited partnership in this state ~~If a~~  
1335 ~~limited partnership or foreign limited partnership does not~~  
1336 ~~appoint or maintain a registered agent in this state or the~~  
1337 ~~registered agent cannot with reasonable diligence be found at~~  
1338 ~~the address of the registered office, the Department of State~~  
1339 ~~shall be an agent of the limited partnership or foreign limited~~  
1340 ~~partnership upon whom process, notice, or demand may be served.~~

1341       ~~(3) Service of any process, notice, or demand on the~~  
1342 ~~Department of State may be made by delivering to and leaving~~  
1343 ~~with the Department of State duplicate copies of the process,~~  
1344 ~~notice, or demand.~~

1345       ~~(4) Service is effected under subsection (3) upon the date~~  
1346 ~~shown as having been received by the Department of State.~~

1347       ~~(5) The Department of State shall keep a record of each~~  
1348 ~~process, notice, and demand served pursuant to this section and~~  
1349 ~~record the time of, and the action taken regarding, the service.~~

1350       ~~(3)-(6)~~ This section does not affect the right to serve

1351 process, give notice, or make a demand in any other manner  
 1352 provided by law.

1353 Section 31. Subsection (5) of section 620.1907, Florida  
 1354 Statutes, is amended to read:

1355 620.1907 Cancellation of certificate of authority; effect  
 1356 of failure to have certificate.-

1357 (5) If a foreign limited partnership transacts business in  
 1358 this state without a certificate of authority or cancels its  
 1359 certificate of authority, it may be served under s. 48.061(5)(b)  
 1360 ~~the foreign limited partnership shall appoint the Department of~~  
 1361 ~~State as its agent for service of process for rights of action~~  
 1362 ~~arising out of the transaction of business in this state.~~

1363 Section 32. Subsections (3) and (4) of section 620.2105,  
 1364 Florida Statutes, are amended to read:

1365 620.2105 Effect of conversion.-

1366 (3) A converted organization that is a foreign  
 1367 organization consents to the jurisdiction of the courts of this  
 1368 state to enforce any obligation owed by the converting limited  
 1369 partnership, if before the conversion the converting limited  
 1370 partnership was subject to suit in this state on the obligation.  
 1371 A converted organization that is a foreign organization and not  
 1372 authorized to transact business in this state appoints the  
 1373 Secretary of State ~~Department of State~~ as its agent for service  
 1374 of process for purposes of enforcing an obligation under this  
 1375 subsection and any appraisal rights of limited partners under

1376 ss. 620.2113-620.2124 to the extent applicable to the  
 1377 conversion. Service on the Secretary of State ~~Department of~~  
 1378 ~~State~~ under this subsection is made in the same manner and with  
 1379 the same consequences as in ss. 48.161 and 620.1117 ~~s.~~  
 1380 ~~620.1117(3) and (4)~~.

1381 (4) A copy of the statement of conversion, certified by  
 1382 the Secretary of State ~~Department of State~~, may be filed in any  
 1383 county of this state in which the converting organization holds  
 1384 an interest in real property.

1385 Section 33. Subsection (2) of section 620.2109, Florida  
 1386 Statutes, is amended to read:

1387 620.2109 Effect of merger.—

1388 (2) A surviving organization that is a foreign  
 1389 organization consents to the jurisdiction of the courts of this  
 1390 state to enforce any obligation owed by a constituent  
 1391 organization, if before the merger the constituent organization  
 1392 was subject to suit in this state on the obligation. A surviving  
 1393 organization that is a foreign organization and not authorized  
 1394 to transact business in this state shall appoint the Secretary  
 1395 of State ~~Department of State~~ as its agent for service of process  
 1396 for the purposes of enforcing an obligation under this  
 1397 subsection and any appraisal rights of limited partners under  
 1398 ss. 620.2113-620.2124 to the extent applicable to the merger.  
 1399 Service on the Secretary of State ~~Department of State~~ under this  
 1400 subsection is made in the same manner and with the same



1401 consequences as in ss. 48.161 and 620.1117 ~~s. 620.1117(3) and~~  
 1402 ~~(4)~~.

1403 Section 34. Subsections (3) and (4) of section 620.8915,  
 1404 Florida Statutes, are amended to read:

1405 620.8915 Effect of conversion.—

1406 (3) A converted organization that is a foreign  
 1407 organization consents to the jurisdiction of the courts of this  
 1408 state to enforce any obligation owed by the converting  
 1409 partnership, if before the conversion the converting partnership  
 1410 was subject to suit in this state on the obligation. A converted  
 1411 organization that is a foreign organization and not authorized  
 1412 to transact business in this state shall appoint the Secretary  
 1413 ~~of State Department of State~~ as its agent for service of process  
 1414 for purposes of enforcing an obligation under this subsection.  
 1415 Service on the Secretary of State ~~Department of State~~ under this  
 1416 subsection ~~is shall be~~ made in the same manner and with the same  
 1417 consequences as provided in s. 48.161 ~~s. 48.181~~.

1418 (4) A copy of the certificate of conversion, certified by  
 1419 the Secretary of State ~~Department of State~~, may be filed in any  
 1420 county of this state in which the converting organization holds  
 1421 an interest in real property.

1422 Section 35. Subsection (2) of section 620.8919, Florida  
 1423 Statutes, is amended to read:

1424 620.8919 Effect of merger.—

1425 (2) A surviving organization that is a foreign

1426 organization consents to the jurisdiction of the courts of this  
1427 state to enforce any obligation owed by a constituent  
1428 organization, if before the merger the constituent organization  
1429 was subject to suit in this state on the obligation. A surviving  
1430 organization that is a foreign organization and not authorized  
1431 to transact business in this state shall appoint the Secretary  
1432 of State ~~Department of State~~ as its agent for service of process  
1433 pursuant to s. 48.161 ~~the provisions of s. 48.181~~.

1434 Section 36. Except as otherwise expressly provided in this  
1435 act and except for this section, which shall take effect upon  
1436 this act becoming a law, this act shall take effect January 2,  
1437 2023.