

THE FLORIDA SENATE
2022 SUMMARY OF LEGISLATION PASSED
Committee on Judiciary

CS/CS/SB 1062 — Service of Process

by Commerce and Tourism Committee; Judiciary Committee; and Senator Bradley

The bill amends laws governing service of process. The term “service of process” refers to the manner of delivery of legal notice to an individual or entity which provides notice of a pending legal action. The bill:

- Details and standardizes the manner and priority of forms of service of process as related to different forms of business and public entities as appropriate to the form and structure of the entities;
- Prioritizes service of process on the registered agent of an entity;
- Clarifies procedures for substituted service of process by delivery to the Secretary of State;
- Creates the authority of a trial court to allow any effective alternative means of service of process where an entity cannot be served with process by conventional means, including by an alternative means set by contract between the parties;
- Creates a framework for service of process on an individual or entity in a foreign country, to include any form of process recognized under that country’s laws;
- Creates procedures for service of process for removal of an unknown party in possession of real property;
- Provides that service of a medical negligence pre-suit notice may be by commercial delivery services or use of a certified process server; and
- Broadens statutes on service of process by registered or certified mail to also allow delivery by a commercial delivery service.

If approved by the Governor, the section of the bill regarding notice of intent to file an action for medical malpractice takes effect upon becoming law, the remainder of the bill takes effect January 2, 2023.

Vote: Senate 38-0; House 112-0