

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.; providing a definition;  
9           revising procedures for service on a domestic limited  
10          liability company or registered foreign limited  
11          liability company; amending s. 48.071, F.S.; providing  
12          for service on nonresidents doing business in the  
13          state by use of a commercial firm regularly engaged in  
14          the business of document or package delivery; amending  
15          s. 48.081, F.S.; providing a definition; revising  
16          requirements for service on a domestic corporation or  
17          registered foreign corporation; amending s. 48.091,  
18          F.S.; providing definitions; requiring designation of  
19          registered agents and registered offices by certain  
20          partnerships, corporations, and companies; specifying  
21          duties of a registered agent; amending s. 48.101,  
22          F.S.; providing for service on dissolved corporations,  
23          dissolved limited liability companies, dissolved  
24          limited partnerships, and dissolved limited liability  
25          partnerships; creating s. 48.102, F.S.; authorizing

26 service by other means in certain circumstances;  
27 amending s. 48.151, F.S.; revising the applicability  
28 of provisions relating to service on statutory agents  
29 for certain persons; amending s. 48.161, F.S.;  
30 revising provisions relating to substituted service;  
31 providing for substituted service on individuals or  
32 corporations or other business entities; specifying  
33 actions that may be considered due diligence in  
34 effectuating service; specifying when service is  
35 considered effectuated; requiring the Department of  
36 State to maintain certain records; amending s. 48.181,  
37 F.S.; providing a definition; revising provisions  
38 relating to substituted service; providing for  
39 substituted service on certain nonresidents and  
40 foreign business entities and on individuals and  
41 foreign business entities concealing their  
42 whereabouts; amending s. 48.194, F.S.; deleting  
43 provisions relating to service outside the United  
44 States; revising provisions relating to service  
45 outside the state but within the United States;  
46 creating s. 48.197, F.S.; providing for service in a  
47 foreign country; creating s. 49.072, F.S.; providing  
48 for service of process for removal of unknown parties  
49 in possession of real property; amending s. 766.106,  
50 F.S.; revising requirements for service of presuit

51 notice before filing a medical negligence complaint;  
 52 creating a rebuttable presumption that service was  
 53 received by a prospective defendant in certain  
 54 circumstances; providing court duties if service is  
 55 challenged during subsequent litigation; revising  
 56 provisions concerning tolling of the statute of  
 57 limitations upon service of presuit notice by  
 58 specified means; amending ss. 495.145, 605.0117,  
 59 605.09091, 605.0910, 605.1045, 607.0504, 607.1423,  
 60 607.15101, 607.1520, 617.0504, 617.1510, 617.1520,  
 61 620.1117, 620.1907, 620.2105, 620.2109, 620.8915, and  
 62 620.8919, F.S.; conforming provisions to changes made  
 63 by the act; providing effective dates.

64

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

66

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

69 15.16 Reproduction of records; admissibility in evidence;  
 70 electronic receipt and transmission of records; certification;  
 71 acknowledgment.—

72 (3) The Department of State may cause to be received  
 73 electronically any records that are required or permitted to be  
 74 filed with it pursuant to chapter 48, chapter 55, chapter 117,  
 75 chapter 118, chapter 495, chapter 605, chapter 606, chapter 607,

76 chapter 610, chapter 617, chapter 620, chapter 621, chapter 679,  
77 chapter 713, or chapter 865, through facsimile or other  
78 electronic transfers, for the purpose of filing such records.  
79 The originals of all such electronically transmitted records  
80 must be executed in the manner provided in paragraph (5) (b). The  
81 receipt of such electronic transfer constitutes delivery to the  
82 department as required by law. The department may use electronic  
83 transmissions for purposes of notice in the administration of  
84 chapters 48, 55, 117, 118, 495, 605, 606, 607, 610, 617, 620,  
85 621, 679, and 713 and s. 865.09. The Department of State may  
86 collect e-mail addresses for purposes of notice and  
87 communication in the performance of its duties and may require  
88 filers and registrants to furnish such e-mail addresses when  
89 presenting documents for filing.

90 Section 2. Section 48.061, Florida Statutes, is amended to  
91 read:

92 48.061 Service on partnerships, limited liability  
93 partnerships, and limited partnerships.—

94 (1)(a) Process against a partnership that is not a limited  
95 liability partnership or a limited partnership, including a  
96 limited liability limited partnership, shall be served on any  
97 partner and is as valid for service on the partnership as if  
98 served on each individual partner.

99 1. If a partner is not available during regular business  
100 hours to accept service on behalf of the partnership, he or she

101 may designate an employee or agent to accept such service.

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

106 (b) If the partnership designated an agent when  
107 registering as a general partnership with the Department of  
108 State, service on the agent is as valid for service on the  
109 partnership as if served on each individual partner, but, unless  
110 individual partners are served, the plaintiff may only proceed  
111 to judgment and execution against the asset of the partnership.

112 (2)(a) Process against a domestic limited liability  
113 partnership shall first be served on the then-current registered  
114 agent for service of process specified in its statement of  
115 qualification, in its statement of qualification as amended or  
116 restated, or as redesignated in its annual report or change of  
117 agent filing and is as valid for service on the limited  
118 liability partnership as if served on each individual partner.  
119 If service cannot be made on the registered agent because the  
120 domestic limited liability partnership ceases to have a  
121 registered agent, or if the registered agent cannot otherwise be  
122 served after one good faith attempt because of a failure to  
123 comply with this chapter or chapter 620, the process may be  
124 served on any partner.

125 1. If a partner is not available during regular business

126 hours to accept service on behalf of the partnership, he or she  
127 may designate an employee to accept such service.

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

131 (b) If, after due diligence, the process cannot be  
132 completed under paragraph (a), then the process may be served as  
133 provided in s. 48.161 on the Secretary of State as an agent of  
134 the domestic limited liability partnership or by order of the  
135 court under s. 48.102.

136 (3)(a)1. Process against a domestic limited partnership,  
137 including a domestic limited liability limited partnership,  
138 shall first be served on the then-current agent for service of  
139 process specified in its certificate of limited partnership, in  
140 its certificate as amended or restated, or as redesignated in  
141 its annual report or change of agent filing and is as valid for  
142 service on the domestic limited partnership as if served on each  
143 individual general partner of the partnership.

144 2. If service cannot be made on the registered agent  
145 because the domestic limited partnership or domestic limited  
146 liability limited partnership ceases to have a registered agent,  
147 or if the registered agent cannot otherwise be served following  
148 one good faith attempt because of a failure to comply with this  
149 chapter or chapter 620, the process may be served on any general  
150 partner.

151 3. After service on a general partner or the registered  
 152 agent, the plaintiff may proceed to judgment and execution  
 153 against the assets of the domestic limited partnership and of  
 154 that general partner, unless the domestic limited partnership is  
 155 a limited liability limited partnership.

156 (b) If, after due diligence, the process cannot be  
 157 completed under paragraph (a), then process may be served as  
 158 provided in s. 48.161 on the Secretary of State as an agent of  
 159 the limited partnership or by order of the court under s.  
 160 48.102.

161 (4) (a) Process against a foreign limited liability  
 162 partnership that was required to comply under s. 620.9102 may be  
 163 served as prescribed under subsection (2).

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

169 (5) (a) Process against a foreign limited partnership that  
 170 was required to comply under s. 620.1902 may be served as  
 171 prescribed under subsection (3).

172 (b) A foreign limited partnership engaging in business in  
 173 this state but not registered is considered, for purposes of  
 174 service of process, a nonresident engaging in business in this  
 175 state and may be served pursuant to s. 48.181 or by order of the

176 court under s. 48.102 ~~After one attempt to serve a partner or~~  
177 ~~designated employee has been made, process may be served on the~~  
178 ~~person in charge of the partnership during regular business~~  
179 ~~hours. After service on any partner, plaintiff may proceed to~~  
180 ~~judgment and execution against that partner and the assets of~~  
181 ~~the partnership. After service on a designated employee or other~~  
182 ~~person in charge, plaintiff may proceed to judgment and~~  
183 ~~execution against the partnership assets but not against the~~  
184 ~~individual assets of any partner.~~

185 ~~(2) Process against a domestic limited partnership may be~~  
186 ~~served on any general partner or on the agent for service of~~  
187 ~~process specified in its certificate of limited partnership or~~  
188 ~~in its certificate as amended or restated and is as valid as if~~  
189 ~~served on each individual member of the partnership. After~~  
190 ~~service on a general partner or the agent, the plaintiff may~~  
191 ~~proceed to judgment and execution against the limited~~  
192 ~~partnership and all of the general partners individually. If a~~  
193 ~~general partner cannot be found in this state and service cannot~~  
194 ~~be made on an agent because of failure to maintain such an agent~~  
195 ~~or because the agent cannot be found or served with the exercise~~  
196 ~~of reasonable diligence, service of process may be effected by~~  
197 ~~service upon the Secretary of State as agent of the limited~~  
198 ~~partnership as provided for in s. 48.181. Service of process may~~  
199 ~~be made under ss. 48.071 and 48.21 on limited partnerships.~~

200 ~~(3) Process against a foreign limited partnership may be~~



201 ~~served on any general partner found in the state or on any agent~~  
 202 ~~for service of process specified in its application for~~  
 203 ~~registration and is as valid as if served on each individual~~  
 204 ~~member of the partnership. If a general partner cannot be found~~  
 205 ~~in this state and an agent for service of process has not been~~  
 206 ~~appointed or, if appointed, the agent's authority has been~~  
 207 ~~revoked or 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, or process may be~~  
 211 ~~served as provided in ss. 48.071 and 48.21.~~

212 Section 3. Section 48.062, Florida Statutes, is amended to  
 213 read:

214 48.062 Service on a domestic limited liability company or  
 215 registered foreign limited liability company.-

216 (1) As used in this section, the term "registered foreign  
 217 limited liability company" means a foreign limited liability  
 218 company that has an active certificate of authority to transact  
 219 business in this state pursuant to a record filed with the  
 220 Department of State.

221 (2)-(1) Process against A domestic limited liability  
 222 company, domestic or registered foreign limited liability  
 223 company, may be served with process required or authorized by  
 224 law by service on its ~~the~~ registered agent designated by the  
 225 domestic limited liability company or registered foreign limited

226 liability company under chapter 605. ~~A person attempting to~~  
 227 ~~serve process pursuant to this subsection may serve the process~~  
 228 ~~on any employee of the registered agent during the first attempt~~  
 229 ~~at service even if the registered agent is a natural person and~~  
 230 ~~is temporarily absent from his or her office.~~

231 (3)~~(2)~~ If service cannot be made on a registered agent of  
 232 the domestic limited liability company or registered foreign  
 233 limited liability company because the domestic limited liability  
 234 company or registered foreign limited liability company ceases  
 235 to have a registered agent, or if the registered agent of the  
 236 domestic limited liability company or registered foreign limited  
 237 liability company cannot otherwise be served after one good  
 238 faith attempt because of a failure to comply with this chapter  
 239 or chapter 605 ~~or because the limited liability company does not~~  
 240 ~~have a registered agent, or if its registered agent cannot with~~  
 241 ~~reasonable diligence be served, process against the limited~~  
 242 ~~liability company, domestic or foreign, the process~~ may be  
 243 served on:

244 (a) Any manager of a manager-managed domestic limited  
 245 liability company or registered foreign limited liability  
 246 company ~~On a member of a member-managed limited liability~~  
 247 ~~company;~~

248 (b) Any member of a member-managed domestic limited  
 249 liability company or registered foreign limited liability  
 250 company ~~On a manager of a manager-managed limited liability~~

251 ~~company; or~~

252       (c) Any person listed publicly by the domestic limited  
253 liability company or registered foreign limited liability  
254 company on its latest annual report, as most recently amended ~~if~~  
255 ~~a member or manager is not available during regular business~~  
256 ~~hours to accept service on behalf of the limited liability~~  
257 ~~company, he, she, or it may designate an employee of the limited~~  
258 ~~liability company to accept such service. After one attempt to~~  
259 ~~serve a member, manager, or designated employee has been made,~~  
260 ~~process may be served on the person in charge of the limited~~  
261 ~~liability company during regular business hours.~~

262       ~~(4)-(3)~~ If, after due reasonable diligence, the service of  
263 process cannot be completed under subsection (2) and if either:

264       (a) The only person listed publicly by the domestic  
265 limited liability company or registered foreign limited  
266 liability company on its latest annual report, as most recently  
267 amended, is also the registered agent on whom service was  
268 attempted under subsection (2); or

269       (b) After due diligence, service was attempted on at least  
270 one person listed publicly by the domestic limited liability  
271 company or registered foreign limited liability company on its  
272 latest annual report, as most recently amended, and cannot be  
273 completed on such person under subsection (3) ~~(1) or subsection~~  
274 ~~(2),~~

275

276 Then the service of process may be served as provided in s.  
277 48.161 on ~~effected by service upon~~ the Secretary of State as an  
278 agent of the domestic limited liability company or the  
279 registered foreign limited liability company or by order of the  
280 court under s. 48.102 as provided for in s. 48.181.

281 (5)-(4) If the address for the registered agent or any  
282 person listed publicly by the domestic limited liability company  
283 or registered foreign limited liability company on its latest  
284 annual report, as most recently amended, member, or manager is a  
285 residence, a private mailbox, a virtual office, or an executive  
286 office or mini suite, service on the domestic limited liability  
287 company or registered foreign limited liability company may be  
288 made by serving:

289 (a) The registered agent of the domestic limited liability  
290 company or registered foreign limited liability company in  
291 accordance with s. 48.031;

292 (b) Any person listed publicly by the domestic limited  
293 liability company or registered foreign limited liability  
294 company on its latest annual report, as most recently amended,  
295 in accordance with s. 48.031; or

296 (c) Any ~~member~~ or manager of the domestic limited  
297 liability company or registered foreign limited liability  
298 company in accordance with s. 48.031.

299 (6) A foreign limited liability company engaging in  
300 business in this state that is not registered is considered, for

301 purposes of service of process, a nonresident engaging in  
 302 business in this state and may be served pursuant to s. 48.181  
 303 or by order of the court under s. 48.102.

304 (7)-(5) This section does not apply to service of process  
 305 on insurance companies.

306 Section 4. Section 48.071, Florida Statutes, is amended to  
 307 read:

308 48.071 Service on agents of nonresidents doing business in  
 309 the state.—When any natural person or partnership not residing  
 310 or having a principal place of business in this state engages in  
 311 business in this state, process may be served on the person who  
 312 is in charge of any business in which the defendant is engaged  
 313 within this state at the time of service, including agents  
 314 soliciting orders for goods, wares, merchandise, or services.  
 315 Any process so served is as valid as if served personally on the  
 316 nonresident person or partnership engaging in business in this  
 317 state in any action against the person or partnership arising  
 318 out of such business. A copy of such process with a notice of  
 319 service on the person in charge of such business shall be sent  
 320 forthwith to the nonresident person or partnership by registered  
 321 mail, by ~~or~~ certified mail, return receipt requested, or by use  
 322 of a commercial firm regularly engaged in the business of  
 323 document or package delivery. The party seeking to effectuate  
 324 service or his, her, or its attorney shall prepare— an affidavit  
 325 of compliance with this section, which shall be filed before the

326 | return day or within such further time as the court may allow.

327 | Section 5. Section 48.081, Florida Statutes, is amended to  
 328 | read:

329 | 48.081 Service on a domestic corporation or registered  
 330 | foreign corporation.—

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

335 | (2) A domestic corporation or a registered foreign  
 336 | corporation may be served with process required or authorized by  
 337 | law by serving on its registered agent designated by the  
 338 | corporation under chapter 607 or chapter 617, as appropriate.

339 | (3) If service cannot be made on a registered agent of the  
 340 | domestic corporation or registered foreign corporation because  
 341 | the domestic corporation or registered foreign corporation  
 342 | ceases to have a registered agent, or if the registered agent of  
 343 | the domestic corporation or registered foreign corporation  
 344 | cannot otherwise be served after one good faith attempt because  
 345 | of a failure to comply with this chapter or chapter 607 or  
 346 | chapter 617, as appropriate, the process may be served on  
 347 | ~~Process against any private corporation, domestic or foreign,~~  
 348 | ~~may be served:~~

349 | (a) The chair of the board of directors, ~~On~~ the president,  
 350 | any ~~or~~ vice president, the secretary, or the treasurer ~~or other~~

351 ~~head~~ of the domestic corporation or registered foreign  
352 corporation; or

353 (b) Any person listed publicly by the domestic corporation  
354 or registered foreign corporation on its latest annual report,  
355 as most recently amended ~~In the absence of any person described~~  
356 ~~in paragraph (a), on the cashier, treasurer, secretary, or~~  
357 ~~general manager;~~

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

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

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

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

369 (b) After due diligence, service was attempted on at least  
370 one person listed publicly by the domestic corporation or  
371 registered foreign corporation on its latest annual report, as  
372 most recently amended, and cannot be completed on such person  
373 under subsection (3), then the process may be served as provided  
374 in s. 48.161 on the Secretary of State as an agent of the  
375 domestic corporation or registered foreign corporation or by

376 order of the court under s. 48.102.

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

380 ~~(3)(a) As an alternative to all of the foregoing, process~~  
381 ~~may be served on the agent designated by the corporation under~~  
382 ~~s. 48.091. However, if service cannot be made on a registered~~  
383 ~~agent because of failure to comply with s. 48.091, service of~~  
384 ~~process shall be permitted on any employee at the corporation's~~  
385 ~~principal place of business or on any employee of the registered~~  
386 ~~agent. A person attempting to serve process pursuant to this~~  
387 ~~paragraph may serve the process on any employee of the~~  
388 ~~registered agent during the first attempt at service even if the~~  
389 ~~registered agent is temporarily absent from his or her office.~~

390 (5)(b) If the address for the registered agent or any  
391 person listed publicly by the domestic corporation or registered  
392 foreign corporation on its latest annual report, as most  
393 recently amended, officer, director, or principal place of  
394 ~~business~~ is a residence, a private mailbox, a virtual office, or  
395 an executive office or mini suite, service on the domestic  
396 corporation or registered foreign corporation may be made by  
397 serving:

398 (a) The registered agent of the domestic corporation or  
399 registered foreign corporation, ~~officer, or director~~ in  
400 accordance with s. 48.031;



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

404 (c) Any person serving in one of the positions listed in  
405 paragraph (3)(a) in accordance with s. 48.031.

406 (6) A foreign corporation engaging in business in this  
407 state that is not registered is considered, for purposes of  
408 service of process, a nonresident engaging in business in this  
409 state and may be served pursuant to s. 48.181 or by order of the  
410 court under s. 48.102.

411 (7)-(4) This section does not apply to service of process  
412 on insurance companies.

413 ~~(5) When a corporation engages in substantial and not~~  
414 ~~isolated activities within this state, or has a business office~~  
415 ~~within the state and is actually engaged in the transaction of~~  
416 ~~business therefrom, service upon any officer or business agent~~  
417 ~~while on corporate business within this state may personally be~~  
418 ~~made, pursuant to this section, and it is not necessary in such~~  
419 ~~case that the action, suit, or proceeding against the~~  
420 ~~corporation shall have arisen out of any transaction or~~  
421 ~~operation connected with or incidental to the business being~~  
422 ~~transacted within the state.~~

423 Section 6. Section 48.091, Florida Statutes, is amended to  
424 read:

425 48.091 Partnerships, corporations, and limited liability

426 companies; designation of registered agent and registered  
 427 office.—

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

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

432 (b) "Registered foreign limited liability partnership" or  
 433 "registered foreign limited partnership" means a foreign limited  
 434 liability partnership or foreign limited partnership that has an  
 435 active certificate of authority to transact business in this  
 436 state pursuant to a record filed with the Department of State.

437 (2)~~(1)~~ Every domestic limited liability partnership,  
 438 domestic limited partnership (including limited liability  
 439 limited partnerships), domestic corporation, domestic limited  
 440 liability company, registered foreign limited liability  
 441 partnership, registered foreign limited partnership (including  
 442 limited liability limited partnerships), registered foreign  
 443 corporation, and registered foreign limited liability company  
 444 must ~~Florida corporation and every foreign corporation now~~  
 445 ~~qualified or hereafter qualifying to transact business in this~~  
 446 ~~state shall~~ designate a registered agent and registered office  
 447 in accordance with ~~part I of~~ chapter 607, chapter 605, chapter  
 448 617, or chapter 620, as applicable, respectively.

449 (3)~~(2)~~ Every domestic limited liability partnership,  
 450 domestic limited partnership (including limited liability

451 limited partnerships), domestic corporation, domestic limited  
 452 liability company, registered foreign limited liability  
 453 partnership, registered foreign limited partnership (including  
 454 limited liability limited partnerships), registered foreign  
 455 corporation, and registered foreign limited liability company,  
 456 and every domestic or foreign general partnership that elects to  
 457 designate a registered agent, must cause the designated  
 458 registered agent to ~~corporation shall~~ keep the designated  
 459 registered office open from at least 10 a.m. to 12 noon each day  
 460 except Saturdays, Sundays, and legal holidays, and must cause  
 461 the designated registered agent to ~~shall~~ keep one or more  
 462 individuals who are, or are representatives of, the designated  
 463 ~~registered agents on whom process may be served at the office~~  
 464 ~~during these hours. The corporation shall keep a sign posted in~~  
 465 ~~the office in some conspicuous place designating the name of the~~  
 466 ~~corporation and the name of its registered agent on whom process~~  
 467 ~~may be served at the office during these hours.~~

468 (4) A person attempting to serve process pursuant to this  
 469 section on a registered agent that is other than a natural  
 470 person may serve the process on any employee of the registered  
 471 agent. A person attempting to serve process pursuant to this  
 472 section on a natural person, if the natural person is  
 473 temporarily absent from his or her office, may serve the process  
 474 during the first attempt at service on any employee of such  
 475 natural person.

476 (5) The registered agent shall promptly forward copies of  
 477 the process and any other papers received in connection with the  
 478 service to a responsible person in charge of the business  
 479 entity. Failure to comply with this subsection does not  
 480 invalidate the service of process.

481 Section 7. Section 48.101, Florida Statutes, is amended to  
 482 read:

483 48.101 Service on dissolved corporations, dissolved  
 484 limited liability companies, dissolved limited partnerships, and  
 485 dissolved limited liability partnerships.-

486 (1) Process against the directors of any corporation which  
 487 was dissolved before July 1, 1990, as trustees of the dissolved  
 488 corporation shall be served on one or more of the directors of  
 489 the dissolved corporation as trustees thereof and binds all of  
 490 the directors of the dissolved corporation as trustees thereof.  
 491 ~~Process against any other dissolved corporation shall be served~~  
 492 ~~in accordance with s. 48.081.~~

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

495 (b) In addition, provided that service was first properly  
 496 attempted under s. 48.081(2), but was not successful as required  
 497 under s. 48.081(3), then in addition to the persons listed in s.  
 498 48.081(3), service may be made on the person appointed as the  
 499 liquidator, trustee, or receiver under s. 607.1405.

500 (c) A party attempting to serve a dissolved domestic for-

501 profit corporation under this section may petition the court to  
 502 appoint one of the persons under s. 607.1405 to receive service  
 503 of process on behalf of the corporation.

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

506 (b) In addition, provided that service was first properly  
 507 attempted under s. 48.062(2), but was not successful as required  
 508 under s. 48.062(3), then in addition to the persons listed in s.  
 509 48.062(3), service on a dissolved domestic limited liability  
 510 company may be made on the person appointed as the liquidator,  
 511 trustee, or receiver under s. 605.0709.

512 (c) A party attempting to serve a dissolved domestic  
 513 limited liability company under this section may petition the  
 514 court to appoint one of the persons under s. 605.0709 to receive  
 515 service of process on behalf of the limited liability company.

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

518 Section 8. Section 48.102, Florida Statutes, is created to  
 519 read:

520 48.102 Service by other means.—If a party seeking to  
 521 effectuate service is unable after reasonable diligence to  
 522 effectuate personal service of process on a domestic or foreign  
 523 corporation, a domestic or foreign general partnership  
 524 (including a limited liability partnership), a domestic or  
 525 foreign limited partnership (including a limited liability

526 limited partnership), or a domestic or foreign limited liability  
 527 company, the court, upon motion and a showing of such inability,  
 528 may authorize service in any other manner that the party seeking  
 529 to effectuate service shows will be reasonably effective to give  
 530 the entity on which service is sought to be effectuated actual  
 531 notice of the suit. Such other manners of service may include  
 532 service electronically by social media, e-mail, or other  
 533 technology.

534 Section 9. Subsection (2) of section 48.151, Florida  
 535 Statutes, is amended to read:

536 48.151 Service on statutory agents for certain persons.—

537 (2) This section does not apply to substituted service of  
 538 process under ss. 48.161 and 48.181 ~~on nonresidents.~~

539 Section 10. Section 48.161, Florida Statutes, is amended  
 540 to read:

541 48.161 Method of substituted service on nonresident.—

542 (1) When authorized by law, substituted service of process  
 543 on a nonresident individual or a corporation or other business  
 544 entity that is incorporated or formed under the laws of any  
 545 other state, territory, or commonwealth, or the laws of any  
 546 foreign country, may ~~or a person who conceals his or her~~  
 547 ~~whereabouts by serving a public officer designated by law shall~~  
 548 be made by sending ~~leaving~~ a copy of the process to the office  
 549 of the Secretary of State by personal delivery, by registered  
 550 mail, with a fee of \$8.75 ~~with the public officer or in his or~~

551 ~~her office or by mailing the copies~~ by certified mail, return  
552 receipt requested, by use of a commercial firm regularly engaged  
553 in the business of document or package delivery, or by  
554 electronic transmission ~~to the public officer with the fee.~~ The  
555 service is sufficient service on a party that ~~defendant who~~ has  
556 appointed or is deemed to have appointed the Secretary of State  
557 ~~a public officer~~ as his, ~~or her,~~ or its agent for the service of  
558 process. The Secretary of State shall keep a record of all  
559 process served on the Secretary of State showing the day and  
560 hour of service.

561 (2) Notice of service and a copy of the process shall be  
562 sent forthwith by the party effectuating service or by his, her,  
563 or its attorney by registered mail, by ~~registered or~~ certified  
564 mail, return receipt requested, or by use of a commercial firm  
565 regularly engaged in the business of document or package  
566 delivery, as well as electronically by e-mail, social media, or  
567 other electronic means if and to the extent the particular  
568 methods have been recently and regularly used by the parties to  
569 communicate between themselves, to the party being served by  
570 substituted service at his, her, or its last known physical  
571 address and, if applicable, electronic address, and return  
572 receipts or proof of service shall be filed showing delivery to  
573 the party by mail or courier and by electronic means, if  
574 electronic means were used, unless the party is actively  
575 refusing or rejecting the delivery of the notice. An ~~by the~~

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576 ~~plaintiff or his or her attorney to the defendant, and the~~  
577 ~~defendant's return receipt and the~~ affidavit of compliance of  
578 the party effectuating service ~~plaintiff or his, or her, or its~~  
579 ~~attorney of compliance~~ shall be filed within 40 days after ~~on or~~  
580 ~~before the date return day of~~ service on the Secretary of State  
581 ~~process~~ or within such additional time as the court allows. The  
582 affidavit of compliance shall set forth the facts that justify  
583 substituted service under this section and that show due  
584 diligence was exercised in attempting to locate and effectuate  
585 personal service on the party before using substituted service  
586 under this section. The party effectuating service does not need  
587 to allege in its original or amended complaint the facts  
588 required to be set forth in the affidavit of compliance.

589 (3) When an individual or business entity is concealing  
590 himself, herself, or itself, the party seeking to effectuate  
591 service may, after exercising due diligence to locate and  
592 effectuate personal service, use substituted service pursuant to  
593 subsection (1) in connection with any action in which the court  
594 has jurisdiction over such individual or business entity. In  
595 this instance, the party seeking service shall further comply  
596 with subsection (2); however, a return receipt or other proof  
597 showing acceptance of receipt of the notice of service and a, ~~or~~  
598 ~~the notice and copy of the~~ shall be served on the defendant, if  
599 found within the state, by an officer authorized to serve legal  
600 process by the party concealing himself, herself, or itself need



601 ~~not be filed, or if found without the state, by a sheriff or a~~  
602 ~~deputy sheriff of any county of this state or any duly~~  
603 ~~constituted public officer qualified to serve like process in~~  
604 ~~the state or jurisdiction where the defendant is found. The~~  
605 ~~officer's return showing service shall be filed on or before the~~  
606 ~~return day of the process or within such time as the court~~  
607 ~~allows. The fee paid by the plaintiff to the public officer~~  
608 ~~shall be taxed as cost if he or she prevails in the action. The~~  
609 ~~public officer shall keep a record of all process served on him~~  
610 ~~or her showing the day and hour of service.~~

611 (4) (a) The party effectuating service shall be considered  
612 to have used due diligence if that party:

613 1. Made diligent inquiry and exerted an honest and  
614 conscientious effort appropriate to the circumstances to acquire  
615 the information necessary to effectuate personal service;

616 2. In seeking to effectuate personal service, reasonably  
617 employed the knowledge at the party's command, including  
618 knowledge obtained pursuant to subparagraph 1.; and

619 3. Made an appropriate number of attempts to serve the  
620 party, taking into account the particular circumstances.

621 (b) Notwithstanding paragraph (a), in making the  
622 determination as to whether the party effectuating service used  
623 due diligence, a court shall presume that the serving party  
624 exercised due diligence by making three good faith attempts to  
625 serve the party to be served at each location where and during

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626 such times when such party is likely to be found as disclosed  
627 through obvious resources reasonably available to the party  
628 seeking to secure service of process. The presumption in this  
629 paragraph is rebuttable.

630 (5)-(2) If any individual ~~person~~ on whom service of process  
631 is authorized under subsection (1) dies, service may be made on  
632 his or her administrator, executor, curator, or personal  
633 representative in the same manner.

634 (6)-(4) The Secretary of State ~~public officer~~ may designate  
635 an individual ~~some other person~~ in his or her office to accept  
636 service.

637 (7) Service of process is effectuated under this section  
638 on the date the service is received by the Department of State.

639 (8) The Department of State shall maintain a record of  
640 each process served pursuant to this section and record the time  
641 of and the action taken regarding the service.

642 (9)-(3) This section does not apply to persons on whom  
643 service is authorized under s. 48.151.

644 Section 11. Section 48.181, Florida Statutes, is amended  
645 to read:

646 48.181 Substituted service on nonresidents and foreign  
647 business entities ~~nonresident~~ engaging in business in state or  
648 concealing their whereabouts.—

649 (1) As used in this section, the term "foreign business  
650 entity" means any corporation or other business entity that is

651 incorporated, formed, or existing under the laws of any other  
652 state, territory, or commonwealth, or the laws of any foreign  
653 country.

654 (2)~~(1)~~ The acceptance by any individual ~~person~~ or  
655 individuals ~~persons, individually or associated together as a~~  
656 ~~copartnership or any other form or type of association,~~ who are  
657 residents of any other state, territory, or commonwealth, or of  
658 any foreign ~~or~~ country, or by any foreign business entity and  
659 ~~all foreign corporations, and any person who is a resident of~~  
660 ~~the state and who subsequently becomes a nonresident of the~~  
661 ~~state or conceals his or her whereabouts,~~ of the privilege  
662 extended by law to nonresidents ~~and others~~ to operate, conduct,  
663 engage in, or carry on a business or business venture in the  
664 state, or to have an office or agency in the state, shall be  
665 deemed to constitute ~~constitutes~~ an appointment by the  
666 individuals ~~persons~~ and foreign business entities ~~corporations~~  
667 of the Secretary of State of the state as their agent on whom  
668 ~~all~~ process in any action or proceeding against them, or any of  
669 them, arising out of any transaction or operation connected with  
670 or incidental to the business or business venture may be served  
671 as substituted service in accordance with this chapter. The  
672 acceptance of the privilege is signification of the agreement of  
673 the respective individuals ~~persons~~ and foreign business entities  
674 ~~corporations~~ that the process served against them in accordance  
675 with this chapter ~~which is so served~~ is of the same validity as

676 if served personally on the respective individual persons or  
 677 foreign business entity corporations.

678 ~~(3)-(2)~~ If a foreign business entity corporation has  
 679 registered to do business a resident agent or officer in the  
 680 state and has maintained its registration in an active status or  
 681 otherwise continued to have a registered agent, personal service  
 682 of process shall first be attempted served on the foreign  
 683 business entity in the manner and order of priority described in  
 684 this chapter as applicable to the foreign business entity. If  
 685 the party seeking to effectuate service of process is unable,  
 686 after due diligence, to effectuate service of process on the  
 687 registered agent or other official as provided in this chapter,  
 688 the party may use substituted service of process on the  
 689 Secretary of State resident agent or officer.

690 (4) Any individual or foreign business entity that  
 691 conceals his, her, or its whereabouts shall be deemed to have  
 692 appointed the Secretary of State as his, her, or its agent on  
 693 whom all process, in any action or proceeding against him, her,  
 694 or it, or any of them, arising out of any transaction or  
 695 operation connected with or incidental to any business or  
 696 business venture carried on in the state by such individual or  
 697 foreign business entity, may be served.

698 ~~(5)-(3)~~ Any individual or foreign business entity person,  
 699 firm, or corporation which sells, consigns, or leases by any  
 700 means whatsoever tangible or intangible personal property,

701 through brokers, jobbers, wholesalers, or distributors to any  
 702 individual person, firm, or corporation, or other business  
 703 entity in the ~~this~~ state is conclusively presumed to be both  
 704 engaged in substantial and not isolated activities within the  
 705 ~~this~~ state and operating, conducting, engaging in, or carrying  
 706 on a business or business venture in the ~~this~~ state.

707 (6) Service pursuant to this section shall be effectuated  
 708 in the manner prescribed by s. 48.161.

709 Section 12. Subsections (1) and (2) of section 48.194,  
 710 Florida Statutes, are amended to read:

711 48.194 Personal service in another ~~outside~~ state,  
 712 territory, or commonwealth of the United States.—

713 (1) Except as otherwise provided herein, service of  
 714 process on a party in another ~~persons outside of this state,~~  
 715 territory, or commonwealth of the United States shall be made in  
 716 the same manner as service within this state by any officer  
 717 ~~person~~ authorized to serve process in the state where service  
 718 shall be made ~~the person is served~~. No order of court is  
 719 required. An affidavit of the officer shall be filed, stating  
 720 the time, manner, and place of service. ~~The A court may consider~~  
 721 ~~the affidavit return-of-service form described in s. 48.21, or~~  
 722 any other competent evidence, in determining whether service has  
 723 been properly made. ~~Service of process on persons outside the~~  
 724 ~~United States may be required to conform to the provisions of~~  
 725 ~~the Hague Convention on the Service Abroad of Judicial and~~

726 ~~Extrajudicial Documents in Civil or Commercial Matters.~~

727 (2) Where in rem or quasi in rem relief is sought in a  
 728 foreclosure proceeding as defined by s. 702.09, service of  
 729 process on a person in another state, territory, or commonwealth  
 730 ~~outside of the United States this state~~ where the address of the  
 731 person to be served is known may be made by registered mail as  
 732 follows:

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

739 (b) The envelope shall be placed in the mail as registered  
 740 mail.

741 (c) Service under this subsection shall be considered  
 742 obtained upon the signing of the return receipt by the person  
 743 allowed to be served by law.

744 Section 13. Section 48.197, Florida Statutes, is created  
 745 to read:

746 48.197 Service in a foreign country.-

747 (1) Service of process may be effectuated in a foreign  
 748 country upon a party, other than a minor or an incompetent  
 749 person:

750 (a) By any internationally agreed means of service

751 reasonably calculated to give actual notice of the proceedings,  
752 such as those authorized by the Hague Convention on the Service  
753 Abroad of Judicial and Extrajudicial Documents in Civil or  
754 Commercial Matters;

755 (b) If there is no internationally agreed means of  
756 service, or if an international agreement allows but does not  
757 specify other means, by a method that is reasonably calculated  
758 to give actual notice of the proceedings:

759 1. As prescribed by the foreign country's law for service  
760 in that country in an action in its courts of general  
761 jurisdiction;

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

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

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

767 b. Using any form of mail that the clerk addresses and  
768 sends to the party and that requires a signed receipt; or

769 (c) Pursuant to motion and order by the court, by other  
770 means, including electronically by social media, e-mail, or  
771 other technology, that the party seeking service shows is  
772 reasonably calculated to give actual notice of the proceedings  
773 and is not prohibited by international agreement, as the court  
774 orders.

775 (2) Service of process may be effectuated in a foreign

776 country upon a minor or incompetent person in the manner  
777 prescribed by subparagraph (1)(b)1., subparagraph (1)(b)2., or  
778 paragraph (1)(c).

779 Section 14. Section 49.072, Florida Statutes, is created  
780 to read:

781 49.072 Service of process for removal of unknown parties  
782 in possession.—

783 (1) This section applies only to actions governed by s.  
784 51.011 and only to the extent such actions seek relief for the  
785 removal of unknown parties in possession of real property. All  
786 provisions of this section are cumulative to other provisions of  
787 law or rules of court about service of process, and all other  
788 such provisions are cumulative to this section.

789 (2) A summons shall be issued in the name of "Unknown  
790 Party in Possession" when the name of an occupant of real  
791 property is not known to the plaintiff and the property occupied  
792 by the unknown party is identified in the complaint and summons.  
793 A separate summons shall be issued for each such unknown  
794 occupant.

795 (3) The plaintiff shall attempt to serve the summons on  
796 any unknown occupant of the property described in the summons  
797 and complaint. If service on the unknown occupant is not  
798 effected on the first attempt, at least one further attempt must  
799 be made. The minimum time delay between the two attempts to  
800 obtain service is 6 hours. The process server shall make an



801 inquiry as to the name of the unknown occupant at the time of  
802 service. The return of service must note the name of the  
803 occupant if obtained by the process server or state that the  
804 name of the occupant could not be obtained after inquiry. If the  
805 name of the occupant becomes known to the plaintiff through the  
806 return of service or otherwise, then, without notice or hearing  
807 thereon, all subsequent proceedings shall be taken under the  
808 true name of such occupant and all prior proceedings shall be  
809 deemed amended accordingly.

810 (4) If service is not effected on an unknown party in  
811 possession after two attempts to obtain service as provided in  
812 subsection (3), and even if an unknown party in possession is  
813 served as provided in subsection (3), service of process shall  
814 also be made on unknown parties in possession as follows:

815 (a) By attaching the summons and complaint to a  
816 conspicuous location on the premises involved in the  
817 proceedings; and

818 (b) Upon issuance of the summons, the plaintiff shall  
819 provide the clerk of court with one additional copy of the  
820 summons and complaint for each unknown occupant and a prestamped  
821 envelope for each unknown occupant addressed to the unknown  
822 occupant at the address of the premises involved in the  
823 proceedings. The clerk of court shall immediately mail a copy of  
824 the summons and complaint by first-class mail, note the fact of  
825 mailing in the docket, and file a certificate in the court file

826 of the fact and date of mailing.

827 (5) Service shall be effective on the unknown party in  
828 possession, regardless of whether personal service is made, on  
829 the date of attaching the summons and complaint to a conspicuous  
830 location on the premises or mailing, whichever occurs later, and  
831 at least 5 days after the date of service must have elapsed  
832 before a judgment for final removal of the unknown party in  
833 possession may be entered.

834 (6) The judgment and writ of possession shall refer to any  
835 unknown party in possession by name if the name is shown on the  
836 return of service or is otherwise known to the plaintiff. If the  
837 name of any unknown party in possession is not shown on the  
838 return of service or otherwise known to the plaintiff, and  
839 service has been effected as provided in this section, the  
840 judgment and writ of possession shall refer to each such person  
841 as an "Unknown Party in Possession" and the writ of possession  
842 shall be executed by the sheriff by placing the plaintiff in  
843 possession of the property and dispossessing the occupants.

844 Section 15. Effective upon becoming a law, subsection (2),  
845 paragraph (a) of subsection (3), and subsection (4) of section  
846 766.106, Florida Statutes, are amended to read:

847 766.106 Notice before filing action for medical  
848 negligence; presuit screening period; offers for admission of  
849 liability and for arbitration; informal discovery; review.—

850 (2) PRESUIT NOTICE.—

851 (a) After completion of presuit investigation pursuant to  
 852 s. 766.203(2) and before ~~prior to~~ filing a complaint for medical  
 853 negligence, a claimant shall notify each prospective defendant  
 854 of intent to initiate litigation for medical negligence by  
 855 verifiable means, which includes one of the following:

856 1. United States Postal Service certified mail, return  
 857 receipt requested;

858 2. United States Postal Service mail with a tracking  
 859 number;

860 3. An interstate, commercial mail carrier or delivery  
 861 service; or

862 4. A certified process server as provided in s. 48.27 and  
 863 in accordance with chapter 48.

864 (b) Proof of service made pursuant to this subsection and  
 865 delivered to an address on file with the Department of Health,  
 866 the Secretary of State, or the Agency for Health Care  
 867 Administration creates a rebuttable presumption that service was  
 868 received by the prospective defendant. If service is challenged  
 869 during subsequent litigation, an evidentiary hearing shall be  
 870 held by the court to determine whether the prospective defendant  
 871 or a person legally related to the prospective defendant was  
 872 provided notice pursuant to this subsection and, if so, the date  
 873 thereof ~~by certified mail, return receipt requested, of intent~~  
 874 ~~to initiate litigation for medical negligence.~~

875 (c) Notice to each prospective defendant must include, if

876 available, a list of all known health care providers seen by the  
877 claimant for the injuries complained of subsequent to the  
878 alleged act of negligence, all known health care providers  
879 during the 2-year period before ~~prior to~~ the alleged act of  
880 negligence who treated or evaluated the claimant, copies of all  
881 of the medical records relied upon by the expert in signing the  
882 affidavit, and the executed authorization form provided in s.  
883 766.1065.

884 (d) ~~(b)~~ Following the initiation of a suit alleging medical  
885 negligence with a court of competent jurisdiction, and service  
886 of the complaint upon a prospective defendant, the claimant  
887 shall provide a copy of the complaint to the Department of  
888 Health and, if the complaint involves a facility licensed under  
889 chapter 395, the Agency for Health Care Administration. The  
890 requirement of providing the complaint to the Department of  
891 Health or the Agency for Health Care Administration does not  
892 impair the claimant's legal rights or ability to seek relief for  
893 his or her claim. The Department of Health or the Agency for  
894 Health Care Administration shall review each incident that is  
895 the subject of the complaint and determine whether it involved  
896 conduct by a licensee which is potentially subject to  
897 disciplinary action, in which case, for a licensed health care  
898 practitioner, the provisions of s. 456.073 apply and, for a  
899 licensed facility, the provisions of part I of chapter 395  
900 apply.

901 (3) PRESUIT INVESTIGATION BY PROSPECTIVE DEFENDANT.—

902 (a) No suit may be filed for a period of 90 days after  
 903 notice is delivered ~~mailed~~ to any prospective defendant. During  
 904 the 90-day period, the prospective defendant or the prospective  
 905 defendant's insurer or self-insurer shall conduct a review as  
 906 provided in s. 766.203(3) to determine the liability of the  
 907 prospective defendant. Each insurer or self-insurer shall have a  
 908 procedure for the prompt investigation, review, and evaluation  
 909 of claims during the 90-day period. This procedure shall include  
 910 one or more of the following:

- 911 1. Internal review by a duly qualified claims adjuster;
- 912 2. Creation of a panel comprised of an attorney  
 913 knowledgeable in the prosecution or defense of medical  
 914 negligence actions, a health care provider trained in the same  
 915 or similar medical specialty as the prospective defendant, and a  
 916 duly qualified claims adjuster;
- 917 3. A contractual agreement with a state or local  
 918 professional society of health care providers, which maintains a  
 919 medical review committee;
- 920 4. Any other similar procedure which fairly and promptly  
 921 evaluates the pending claim.

922  
 923 Each insurer or self-insurer shall investigate the claim in good  
 924 faith, and both the claimant and prospective defendant shall  
 925 cooperate with the insurer in good faith. If the insurer

926 requires, a claimant shall appear before a pretrial screening  
927 panel or before a medical review committee and shall submit to a  
928 physical examination, if required. Unreasonable failure of any  
929 party to comply with this section justifies dismissal of claims  
930 or defenses. There shall be no civil liability for participation  
931 in a pretrial screening procedure if done without intentional  
932 fraud.

933 (4) SERVICE OF PRESUIT NOTICE AND TOLLING.—The notice of  
934 intent to initiate litigation shall be served within the time  
935 limits set forth in s. 95.11. However, upon mailing of the  
936 notice of intent to initiate litigation, as provided in  
937 subparagraphs (2) (a)1.-3., and during the 90-day period provided  
938 in subsection (3), the statute of limitations is tolled as to  
939 all prospective ~~potential~~ defendants. If the notice of intent to  
940 initiate litigation is served by a certified process server, as  
941 provided in subparagraph (2) (a)4., the statute of limitations is  
942 tolled upon the certified process server's first attempt to  
943 serve the prospective defendant and continues during the 90-day  
944 period as to all prospective defendants. Upon stipulation by the  
945 parties, the 90-day period may be extended and the statute of  
946 limitations is tolled during any such extension. Upon receiving  
947 notice of termination of negotiations in an extended period, the  
948 claimant shall have 60 days or the remainder of the period of  
949 the statute of limitations, whichever is greater, within which  
950 to file suit.

951 Section 16. Section 495.145, Florida Statutes, is amended  
 952 to read:

953 495.145 Forum for actions regarding registration.—An  
 954 action seeking cancellation of a registration of a mark  
 955 registered under this chapter may be brought in any court of  
 956 competent jurisdiction in this state. Service of process on a  
 957 nonresident registrant may be made in accordance with ss. 48.161  
 958 and 48.181 ~~s. 48.181~~. The department shall not be made a party  
 959 to cancellation proceedings.

960 Section 17. Section 605.0117, Florida Statutes, is amended  
 961 to read:

962 605.0117 Serving ~~Service of~~ process, giving notice, or  
 963 making a demand.—

964 (1) Process against a limited liability company or  
 965 registered foreign limited liability company may be served in  
 966 accordance with s. 48.062 and chapter 48 or in accordance with  
 967 chapter 49 ~~with process required or authorized by law by serving~~  
 968 ~~on its registered agent.~~

969 ~~(2) If a limited liability company or registered foreign~~  
 970 ~~limited liability company ceases to have a registered agent or~~  
 971 ~~if its registered agent cannot with reasonable diligence be~~  
 972 ~~served, the process required or permitted by law may instead be~~  
 973 ~~served:~~

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

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

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

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

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

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

990 (2)(7) Any notice or demand on a limited liability company  
 991 or registered foreign limited liability company under this  
 992 chapter may be given or made to any member of a member-managed  
 993 limited liability company or registered foreign limited  
 994 liability company or to any manager of a manager-managed limited  
 995 liability company or registered foreign limited liability  
 996 company; to the registered agent of the limited liability  
 997 company or registered foreign limited liability company at the  
 998 registered office of the limited liability company or registered  
 999 foreign limited liability company in this state; or to any other  
 1000 address in this state that is in fact the principal office of



1001 the limited liability company or registered foreign limited  
 1002 liability company in this state.

1003 (3) A registered series of a foreign series limited  
 1004 liability company may be served in the same manner as a  
 1005 registered limited liability company.

1006 (4)~~(8)~~ This section does not affect the right to serve  
 1007 process, give notice, or make a demand in any other manner  
 1008 provided by law.

1009 Section 18. Subsection (1) of section 605.09091, Florida  
 1010 Statutes, is amended to read:

1011 605.09091 Judicial review of denial of reinstatement.—

1012 (1) If the department denies a foreign limited liability  
 1013 company's application for reinstatement after revocation of its  
 1014 certificate of authority, the department shall serve the foreign  
 1015 limited liability company, pursuant to s. 605.0117(2) ~~s.~~  
 1016 ~~605.0117(7)~~, with a written notice that explains the reason or  
 1017 reasons for the denial.

1018 Section 19. Paragraphs (e), (f), and (g) of subsection (1)  
 1019 and subsection (2) of section 605.0910, Florida Statutes, are  
 1020 amended to read:

1021 605.0910 Withdrawal and cancellation of certificate of  
 1022 authority.—

1023 (1) To cancel its certificate of authority to transact  
 1024 business in this state, a foreign limited liability company must  
 1025 deliver to the department for filing a notice of withdrawal of

1026 certificate of authority. The certificate of authority is  
1027 canceled when the notice becomes effective pursuant to s.  
1028 605.0207. The notice of withdrawal of certificate of authority  
1029 must be signed by an authorized representative and state the  
1030 following:

1031 (e) That the foreign limited liability company revokes the  
1032 authority of its registered agent to accept service on its  
1033 behalf and appoints the Secretary of State as its agent for  
1034 service of process based on a cause of action arising during the  
1035 time the foreign limited liability company was authorized to  
1036 transact business in this state.

1037 (f) A mailing address and an e-mail address to which a  
1038 party seeking to effectuate service of process ~~the department~~  
1039 may send mail a copy of any process served on the Secretary of  
1040 State under paragraph (e).

1041 (g) A commitment to notify the department in the future of  
1042 any change in its mailing address or e-mail address.

1043 (2) After the withdrawal of the foreign limited liability  
1044 company is effective, service of process on the Secretary of  
1045 State under the procedures set forth in s. 48.161 ~~this section~~  
1046 is service on the foreign limited liability company. ~~Upon~~  
1047 ~~receipt of the process, the department shall mail a copy of the~~  
1048 ~~process to the foreign limited liability company at the mailing~~  
1049 ~~address set forth under paragraph (1) (f).~~

1050 Section 20. Paragraph (f) of subsection (2) of section

1051 605.1045, Florida Statutes, is amended to read:

1052 605.1045 Articles of conversion.—

1053 (2) The articles of conversion must contain the following:

1054 (f) If the converted entity is a foreign entity that does  
 1055 not have a certificate of authority to transact business in this  
 1056 state, a mailing address and an e-mail address to which a party  
 1057 seeking to effectuate service of process ~~the department~~ may send  
 1058 any process served on the Secretary of State ~~department~~ pursuant  
 1059 to s. 605.0117 and chapter 48.

1060 Section 21. Section 607.0504, Florida Statutes, is amended  
 1061 to read:

1062 607.0504 Serving ~~Service~~ of process, giving notice, or  
 1063 making a demand on a corporation.—

1064 (1) A corporation may be served with process required or  
 1065 authorized by law in accordance with s. 48.081 and chapter 48 or  
 1066 in accordance with chapter 49 ~~by serving on its registered~~  
 1067 agent.

1068 ~~(2) If a corporation ceases to have a registered agent or~~  
 1069 ~~if its registered agent cannot with reasonable diligence be~~  
 1070 ~~served, the process required or permitted by law may instead be~~  
 1071 ~~served on the chair of the board, the president, any vice~~  
 1072 ~~president, the secretary, or the treasurer of the corporation at~~  
 1073 ~~the principal office of the corporation in this state.~~

1074 ~~(3) If the process cannot be served on a corporation~~  
 1075 ~~pursuant to subsection (1) or subsection (2), the process may be~~

1076 | ~~served on the secretary of state as an agent of the corporation.~~

1077 |       ~~(4) Service of process on the secretary of state shall be~~  
 1078 | ~~made by delivering to and leaving with the department duplicate~~  
 1079 | ~~copies of the process.~~

1080 |       ~~(5) Service is effectuated under subsection (3) on the~~  
 1081 | ~~date shown as received by the department.~~

1082 |       ~~(6) The department shall keep a record of each process~~  
 1083 | ~~served on the secretary of state pursuant to this subsection and~~  
 1084 | ~~record the time of and the action taken regarding the service.~~

1085 |       (2)~~(7)~~ Any notice or demand on a corporation under this  
 1086 | chapter may be given or made to the chair of the board, the  
 1087 | president, any vice president, the secretary, or the treasurer  
 1088 | of the corporation; to the registered agent of the corporation  
 1089 | at the registered office of the corporation in this state; or to  
 1090 | any other address in this state that is in fact the principal  
 1091 | office of the corporation in this state.

1092 |       (3)~~(8)~~ This section does not affect the right to serve  
 1093 | process, give notice, or make a demand in any other manner  
 1094 | provided by law.

1095 |       Section 22. Subsection (1) of section 607.1423, Florida  
 1096 | Statutes, is amended to read:

1097 |       607.1423 Judicial review of denial of reinstatement.—

1098 |       (1) If the department denies a corporation's application  
 1099 | for reinstatement after administrative dissolution, the  
 1100 | department shall serve the corporation under s. 607.0504(1)

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1101 ~~either s. 607.0504(1) or (2)~~ with a written notice that explains  
1102 the reason or reasons for denial.

1103 Section 23. Section 607.15101, Florida Statutes, is  
1104 amended to read:

1105 607.15101 Serving Service of process, giving notice, or  
1106 making a demand on a foreign corporation.-

1107 (1) A foreign corporation may be served with process  
1108 required or authorized by law in accordance with s. 48.081 and  
1109 chapter 48 or in accordance with chapter 49 ~~by serving on its~~  
1110 ~~registered agent.~~

1111 ~~(2) If a foreign corporation ceases to have a registered~~  
1112 ~~agent or if its registered agent cannot with reasonable~~  
1113 ~~diligence be served, the process required or permitted by law~~  
1114 ~~may instead be served on the chair of the board, the president,~~  
1115 ~~any vice president, the secretary, or the treasurer of the~~  
1116 ~~foreign corporation at the principal office of the foreign~~  
1117 ~~corporation in this state.~~

1118 ~~(3) If the process cannot be served on a foreign~~  
1119 ~~corporation pursuant to subsection (1) or subsection (2), the~~  
1120 ~~process may be served on the secretary of state as an agent of~~  
1121 ~~the foreign corporation.~~

1122 ~~(4) Service of process on the secretary of state may be~~  
1123 ~~made by delivering to and leaving with the department duplicate~~  
1124 ~~copies of the process.~~

1125 ~~(5) Service is effectuated under subsection (3) on the~~

1126 | ~~date shown as received by the department.~~

1127 |       ~~(6) The department shall keep a record of each process~~  
 1128 | ~~served on the secretary of state pursuant to this section and~~  
 1129 | ~~record the time of and the action taken regarding the service.~~

1130 |       (2)~~(7)~~ Any notice or demand on a foreign corporation under  
 1131 | this chapter may be given or made: to the chair of the board,  
 1132 | the president, any vice president, the secretary, or the  
 1133 | treasurer of the foreign corporation; to the registered agent of  
 1134 | the foreign corporation at the registered office of the foreign  
 1135 | corporation in this state; or to any other address in this state  
 1136 | that is in fact the principal office of the foreign corporation  
 1137 | in this state.

1138 |       (3)~~(8)~~ This section does not affect the right to serve  
 1139 | process, give notice, or make a demand in any other manner  
 1140 | provided by law.

1141 |       Section 24. Paragraphs (e) and (f) of subsection (1) and  
 1142 | subsection (2) of section 607.1520, Florida Statutes, are  
 1143 | amended to read:

1144 |       607.1520 Withdrawal and cancellation of certificate of  
 1145 | authority for foreign corporation.—

1146 |       (1) To cancel its certificate of authority to transact  
 1147 | business in this state, a foreign corporation must deliver to  
 1148 | the department for filing a notice of withdrawal of certificate  
 1149 | of authority. The certificate of authority is canceled when the  
 1150 | notice of withdrawal becomes effective pursuant to s. 607.0123.

1151 The notice of withdrawal of certificate of authority must be  
 1152 signed by an officer or director and state the following:

1153 (e) That the foreign corporation revokes the authority of  
 1154 its registered agent to accept service on its behalf and  
 1155 appoints the Secretary of State as its agent for service of  
 1156 process based on a cause of action arising during the time it  
 1157 was authorized to transact business in this state.

1158 (f) A mailing address and an e-mail address to which a  
 1159 party seeking to effectuate service of process ~~the secretary of~~  
 1160 ~~state~~ may send ~~mail~~ a copy of any process served on the  
 1161 Secretary of State under paragraph (e).

1162 (2) After the withdrawal of the foreign corporation is  
 1163 effective, service of process on the Secretary of State under  
 1164 the procedures in s. 48.161 ~~this section~~ is service on the  
 1165 foreign corporation. ~~Upon receipt of the process, the secretary~~  
 1166 ~~of state shall mail a copy of the process to the foreign~~  
 1167 ~~corporation at the mailing address set forth under paragraph~~  
 1168 ~~(1)(f).~~

1169 Section 25. Subsections (1) and (3) of section 617.0504,  
 1170 Florida Statutes, are amended to read:

1171 617.0504 Serving ~~Service of~~ process, giving notice, or  
 1172 making a demand on a corporation.—

1173 (1) Process against any corporation may be served in  
 1174 accordance with s. 48.081 and chapter 48 or in accordance with  
 1175 chapter 49.

1176 (3) This section does not prescribe the only means, or  
 1177 necessarily the required means, of serving process, giving  
 1178 notice, or making a demand on a corporation.

1179 Section 26. Section 617.1510, Florida Statutes, is amended  
 1180 to read:

1181 617.1510 Serving ~~Service of~~ process, giving notice, or  
 1182 making a demand on a foreign corporation.-

1183 (1) Process against a foreign corporation may be served in  
 1184 accordance with s. 48.081 and chapter 48 or in accordance with  
 1185 chapter 49 ~~The registered agent of a foreign corporation~~  
 1186 ~~authorized to conduct its affairs in this state is the~~  
 1187 ~~corporation's agent for service of process, notice, or demand~~  
 1188 ~~required or permitted by law to be served on the foreign~~  
 1189 ~~corporation.~~

1190 ~~(2) A foreign corporation may be served by registered or~~  
 1191 ~~certified mail, return receipt requested, addressed to the~~  
 1192 ~~secretary of the foreign corporation at its principal office~~  
 1193 ~~shown in its application for a certificate of authority or in~~  
 1194 ~~its most recent annual report if the foreign corporation:~~

1195 ~~(a) Has no registered agent or its registered agent cannot~~  
 1196 ~~with reasonable diligence be served;~~

1197 ~~(b) Has withdrawn from conducting its affairs in this~~  
 1198 ~~state under s. 617.1520; or~~

1199 ~~(c) Has had its certificate of authority revoked under s.~~  
 1200 ~~617.1531.~~



1201           ~~(3) Service is perfected under subsection (2) at the~~  
 1202 ~~earliest of:~~

1203           ~~(a) The date the foreign corporation receives the mail;~~  
 1204           ~~(b) The date shown on the return receipt, if signed on~~  
 1205 ~~behalf of the foreign corporation; or~~

1206           ~~(c) Five days after its deposit in the United States mail,~~  
 1207 ~~as evidenced by the postmark, if mailed postpaid and correctly~~  
 1208 ~~addressed.~~

1209           ~~(4) This section does not prescribe the only means, or~~  
 1210 ~~necessarily the required means, of serving a foreign~~  
 1211 ~~corporation. Process against any foreign corporation may also be~~  
 1212 ~~served in accordance with chapter 48 or chapter 49.~~

1213           (2)~~(5)~~ Any notice to or demand on a foreign corporation  
 1214 made pursuant to this act may be made in accordance with the  
 1215 procedures for notice to or demand on domestic corporations  
 1216 under s. 617.0504.

1217           Section 27. Paragraphs (c), (d), and (e) of subsection (2)  
 1218 and subsection (3) of section 617.1520, Florida Statutes, are  
 1219 amended to read:

1220           617.1520 Withdrawal of foreign corporation.—

1221           (2) A foreign corporation authorized to conduct its  
 1222 affairs in this state may apply for a certificate of withdrawal  
 1223 by delivering an application to the Department of State for  
 1224 filing. The application shall be made on forms prescribed and  
 1225 furnished by the Department of State and shall set forth:

1226 (c) That it revokes the authority of its registered agent  
 1227 to accept service on its behalf and appoints the Secretary of  
 1228 State Department of State as its agent for service of process  
 1229 based on a cause of action arising during the time it was  
 1230 authorized to conduct its affairs in this state;

1231 (d) A mailing address and an e-mail address to which a  
 1232 party seeking to effectuate service of process ~~the Department of~~  
 1233 ~~State~~ may send ~~mail~~ a copy of any process served on it under  
 1234 paragraph (c); and

1235 (e) A commitment to notify the Department of State in the  
 1236 future of any change in its mailing address or e-mail address.

1237 (3) After the withdrawal of the corporation is effective,  
 1238 service of process in accordance with s. 48.161 ~~on the~~  
 1239 ~~Department of State under this section~~ is service on the foreign  
 1240 corporation. ~~Upon receipt of the process, the Department of~~  
 1241 ~~State shall mail a copy of the process to the foreign~~  
 1242 ~~corporation at the mailing address set forth under subsection~~  
 1243 ~~(2).~~

1244 Section 28. Section 620.1117, Florida Statutes, is amended  
 1245 to read:

1246 620.1117 Serving ~~Service of~~ process, giving notice, or  
 1247 making a demand on a limited partnership or a foreign limited  
 1248 partnership.-

1249 (1) Service of process on a limited partnership or foreign  
 1250 limited partnership shall be made in accordance with s. 48.061

1251 ~~and chapter 48 or in accordance with chapter 49 A registered~~  
 1252 ~~agent appointed by a limited partnership or foreign limited~~  
 1253 ~~partnership is an agent of the limited partnership or foreign~~  
 1254 ~~limited partnership for service of any process, notice, or~~  
 1255 ~~demand required or permitted by law to be served upon the~~  
 1256 ~~limited partnership or foreign limited partnership.~~

1257 (2) Any notice or demand on a limited partnership or  
 1258 foreign limited partnership under this chapter may be given or  
 1259 made to any general partner of the limited partnership or  
 1260 foreign limited partnership, to the registered agent of the  
 1261 limited partnership or foreign limited partnership at the  
 1262 registered office in this state, or to any other address in this  
 1263 state that is in fact the principal office of the limited  
 1264 partnership or foreign limited partnership in this state ~~If a~~  
 1265 ~~limited partnership or foreign limited partnership does not~~  
 1266 ~~appoint or maintain a registered agent in this state or the~~  
 1267 ~~registered agent cannot with reasonable diligence be found at~~  
 1268 ~~the address of the registered office, the Department of State~~  
 1269 ~~shall be an agent of the limited partnership or foreign limited~~  
 1270 ~~partnership upon whom process, notice, or demand may be served.~~

1271 ~~(3) Service of any process, notice, or demand on the~~  
 1272 ~~Department of State may be made by delivering to and leaving~~  
 1273 ~~with the Department of State duplicate copies of the process,~~  
 1274 ~~notice, or demand.~~

1275 ~~(4) Service is effected under subsection (3) upon the date~~

1276 ~~shown as having been received by the Department of State.~~

1277 ~~(5) The Department of State shall keep a record of each~~  
 1278 ~~process, notice, and demand served pursuant to this section and~~  
 1279 ~~record the time of, and the action taken regarding, the service.~~

1280 (3)~~(6)~~ This section does not affect the right to serve  
 1281 process, give notice, or make a demand in any other manner  
 1282 provided by law.

1283 Section 29. Subsection (5) of section 620.1907, Florida  
 1284 Statutes, is amended to read:

1285 620.1907 Cancellation of certificate of authority; effect  
 1286 of failure to have certificate.-

1287 (5) If a foreign limited partnership transacts business in  
 1288 this state without a certificate of authority or cancels its  
 1289 certificate of authority, it may be served under s. 48.061(5)(b)  
 1290 ~~the foreign limited partnership shall appoint the Department of~~  
 1291 ~~State as its agent for service of process for rights of action~~  
 1292 ~~arising out of the transaction of business in this state.~~

1293 Section 30. Subsections (3) and (4) of section 620.2105,  
 1294 Florida Statutes, are amended to read:

1295 620.2105 Effect of conversion.-

1296 (3) A converted organization that is a foreign  
 1297 organization consents to the jurisdiction of the courts of this  
 1298 state to enforce any obligation owed by the converting limited  
 1299 partnership, if before the conversion the converting limited  
 1300 partnership was subject to suit in this state on the obligation.

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1301 A converted organization that is a foreign organization and not  
1302 authorized to transact business in this state appoints the  
1303 Secretary of State ~~Department of State~~ as its agent for service  
1304 of process for purposes of enforcing an obligation under this  
1305 subsection and any appraisal rights of limited partners under  
1306 ss. 620.2113-620.2124 to the extent applicable to the  
1307 conversion. Service on the Secretary of State ~~Department of~~  
1308 ~~State~~ under this subsection is made in the same manner and with  
1309 the same consequences as in ss. 620.1117 and 48.161 ~~s.~~  
1310 ~~620.1117(3) and (4)~~.

1311 (4) A copy of the statement of conversion, certified by  
1312 the Secretary of State ~~Department of State~~, may be filed in any  
1313 county of this state in which the converting organization holds  
1314 an interest in real property.

1315 Section 31. Subsection (2) of section 620.2109, Florida  
1316 Statutes, is amended to read:

1317 620.2109 Effect of merger.—

1318 (2) A surviving organization that is a foreign  
1319 organization consents to the jurisdiction of the courts of this  
1320 state to enforce any obligation owed by a constituent  
1321 organization, if before the merger the constituent organization  
1322 was subject to suit in this state on the obligation. A surviving  
1323 organization that is a foreign organization and not authorized  
1324 to transact business in this state shall appoint the Secretary  
1325 of State ~~Department of State~~ as its agent for service of process

1326 for the purposes of enforcing an obligation under this  
 1327 subsection and any appraisal rights of limited partners under  
 1328 ss. 620.2113-620.2124 to the extent applicable to the merger.  
 1329 Service on the Secretary of State ~~Department of State~~ under this  
 1330 subsection is made in the same manner and with the same  
 1331 consequences as in ss. 620.1117 and 48.161 ~~s. 620.1117(3) and~~  
 1332 ~~(4)~~.

1333 Section 32. Subsections (3) and (4) of section 620.8915,  
 1334 Florida Statutes, are amended to read:

1335 620.8915 Effect of conversion.—

1336 (3) A converted organization that is a foreign  
 1337 organization consents to the jurisdiction of the courts of this  
 1338 state to enforce any obligation owed by the converting  
 1339 partnership, if before the conversion the converting partnership  
 1340 was subject to suit in this state on the obligation. A converted  
 1341 organization that is a foreign organization and not authorized  
 1342 to transact business in this state shall appoint the Secretary  
 1343 ~~of State~~ ~~Department of State~~ as its agent for service of process  
 1344 for purposes of enforcing an obligation under this subsection.  
 1345 Service on the Secretary of State ~~Department of State~~ under this  
 1346 subsection shall be made in the same manner and with the same  
 1347 consequences as provided in s. 48.161 ~~s. 48.181~~.

1348 (4) A copy of the certificate of conversion, certified by  
 1349 the Secretary of State ~~Department of State~~, may be filed in any  
 1350 county of this state in which the converting organization holds

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1351 an interest in real property.

1352 Section 33. Subsection (2) of section 620.8919, Florida  
1353 Statutes, is amended to read:

1354 620.8919 Effect of merger.—

1355 (2) A surviving organization that is a foreign  
1356 organization consents to the jurisdiction of the courts of this  
1357 state to enforce any obligation owed by a constituent  
1358 organization, if before the merger the constituent organization  
1359 was subject to suit in this state on the obligation. A surviving  
1360 organization that is a foreign organization and not authorized  
1361 to transact business in this state shall appoint the Secretary  
1362 of State ~~Department of State~~ as its agent for service of process  
1363 pursuant to s. 48.161 ~~the provisions of s. 48.181~~.

1364 Section 34. Except as otherwise expressly provided in this  
1365 act and except for this section, which shall take effect upon  
1366 this act becoming a law, this act shall take effect January 2,  
1367 2023.