

By: Senator(s) Kirby

To: Insurance

SENATE BILL NO. 2254

1 AN ACT TO AMEND SECTION 83-30-69, MISSISSIPPI CODE OF 1972,
2 TO REVISE THE METHOD AND FEE FOR SERVICE OF PROCESS UPON LARGER
3 FRATERNAL BENEFIT SOCIETIES; AND FOR RELATED PURPOSES.

4 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MISSISSIPPI:

5 **SECTION 1.** Section 83-30-69, Mississippi Code of 1972, is
6 amended as follows:

7 83-30-69. (1) Every society authorized to do business in
8 this state shall appoint in writing the commissioner and each
9 successor in office to be its true and lawful attorney upon whom
10 all lawful process in any action or proceeding against it shall
11 be served, and shall agree in such writing that any lawful
12 process against it which is served on such attorney shall be of
13 the same legal force and validity as if served upon the society,
14 and that the authority shall continue in force so long as any
15 liability remains outstanding in this state. Copies of such
16 appointment, certified by the commissioner, shall be deemed
17 sufficient evidence thereof and shall be admitted in evidence
18 with the same force and effect as the original thereof might be
19 admitted.

20 (2) Service shall only be made upon the commissioner, or if
21 absent, upon the person in charge of his or her office. It shall
22 be made in duplicate and shall constitute sufficient service upon
23 the society. When legal process against a society is served upon
24 the commissioner, he shall forthwith forward * * * the duplicate
25 copy by certified mail, prepaid, directed to the secretary or
26 corresponding officer. No such service shall require a society
27 to file its answer, pleading or defense in less than thirty (30)



28 days from the date of mailing the copy of the service to a
29 society. Legal process shall not be served upon a society except
30 in the manner herein provided.

31 (3) At the time of serving any process upon the
32 commissioner, the plaintiff or complainant in the action shall pay
33 to the commissioner a fee of Twenty-five Dollars (\$25.00).

34 **SECTION 2.** This act shall take effect and be in force from
35 and after July 1, 2003.

