

CHAPTER 97.

Original Senate File No. 29.

SERVICE OF PROCESS ON CORPORATIONS.

AN ACT to amend and re-enact Section 1, Chapter 19, Session Laws of Wyoming, 1921, providing for Service of Notice of Process upon Domestic and Foreign Corporations which have failed to appoint a Process Agent.

Be It Enacted by the Legislature of the State of Wyoming:

Section 1. That Section 1, Chapter 19, Session Laws of Wyoming, 1921, be amended and re-enacted to read as follows:

Secretary of State as Agent for Service of Process.

Section 1. That whenever any domestic corporation fails to comply with the provisions of Sections 5042, 5045 and 5046 of the Wyoming Statutes, 1920, notice of process required by law to be served upon such corporation may be served upon the Secretary of State, who is hereby made the agent of such delinquent corporation upon whom service of such notice and process as may be by law required to be given or served on such corporation may be made, and such service of notice of process shall be binding upon such delinquent corporation, provided that notice of such service, and a copy of the process are forthwith sent by registered mail by the plaintiff to the defendant and the defendant's return receipt, and the plaintiff's affidavit of compliance herewith are filed in said cause and submitted to the court from which such process issued, or service may be made upon said delinquent corporation in the manner provided by Section 5631, Wyoming Compiled Statutes, 1920.

Procedure When Foreign Corporation Fails to Qualify.

Section 2. That whenever any foreign corporation transacts business in this State without first accepting the Constitution of this State as required by the provisions of Section 5074, Wyoming Compiled Statutes, 1920, and without having first complied with the provisions of Section 5044, Wyoming Compiled Statutes, 1920, and pursuant thereto appointed a process agent, said foreign corporation so transacting business in this State without complying with the laws of this State relative to domestication herein, shall be deemed to have designated the Secretary of State as its true and lawful agent upon whom may be served all lawful process in any action or proceedings against said foreign corporation growing out of the transaction of any business in this State. Such service of process shall be made by leaving a copy of the process, with a fee of two dollars, in the hands of the Secretary of State or in his office, and such service shall be deemed sufficient service upon said foreign corporation provided that notice of such service and a copy of the process are forthwith sent by registered mail by the plaintiff to the defendant foreign corporation, and the defendant's return receipt and the plaintiff's affidavit of compliance herewith are filed in said cause and submitted to the court from which said process issued, or said service of said process may be made by delivery to said corporation of a copy thereof outside the State, and proof of such delivery may be made by the affidavit of the person delivering the same, which

affidavit shall be filed in said cause and submitted to the court from which said process issued. The court in which the action is pending may order such continuances as may be necessary to afford the defendant foreign corporation reasonable opportunity to defend the action.

Section 3. This act shall take effect and be in force from and after its passage.

Approved February 21, 1929.