

Entities on whose behalf the Secretary of State may accept service of process

Included in the Secretary of State's (SoS) January 17, 2020 letter to the House Legislative Oversight Committee (LOC). This information was provided in response to the following question in LOC's December 12, 2019, letter to the SoS: "35. Please provide a table listing the entities on whose behalf the SoS may accept service of process and the applicable statute for each."

In addition to providing the information in this document, SoS provided the following response:

- Please see the table that is provided in Attachment G.

ATTACHMENT G

***Service of Process
Secretary of State's Office***

<i>Type of Entity</i>	<i>Situation</i>	<i>Statute</i>
Foreign Corporation	After revocation of a foreign corporation's certificate of authority	<u>33-15-310</u>
Foreign Corporation	After withdrawal of certificate of authority	<u>33-15-200</u>
Foreign Corporation or Foreign Nonprofit	If there is no registered agent or the agent cannot be served with reasonable diligence (other than publication) and such appears by affidavit	<u>15-9-240</u>
Foreign Corporation or Foreign Nonprofit	If the corporation does business in the state without being authorized, including any business activity for which authority need not be obtained as provided by Section 33-15-101	<u>15-9-245</u>
Foreign Nonprofit	After a foreign corporation files for a certificate of withdrawal	<u>33-31-1520</u>
Foreign Nonprofit	After the Secretary of State's or Richland County Court of Common Pleas revocation of the certificate of authority	<u>33-31-1531</u>
Foreign or Domestic Nonprofit	Failure to make the "Notification by Existing Corporation" filing requirement on or before 1/2/96.	<u>33-31-1707</u>
Domestic Nonprofit	If there is no registered agent or the agent can't be served with reasonable diligence and such appears by affidavit (this excludes a situation of failure to make the "Notification by Existing Corporation" filing requirement on or before 1/2/96)	<u>15-9-210</u>
Domestic Corporation	If there is no registered agent or the agent can't be served with reasonable diligence and such appears by affidavit	<u>15-9-210</u> ; <u>33-14-105(c)</u> ; <u>33-14-210(e)</u>
Nonresident directors of domestic corporations	When a director of a domestic business corporation is a nonresident of this state at the time of his election or who becomes a nonresident during his term in office	<u>15-9-430</u>
Foreign or Domestic LLC	Failure to appoint or maintain an agent for service of process or the agent cannot be found with reasonable diligence	<u>33-44-111</u>
Foreign LLC	Cancellation of the certificate of authority	<u>33-44-1007</u>
Foreign LLC	If the LLC transacts business in SC without a certificate of authority	<u>33-44-1008</u>
Foreign LLP	Cancellation of authorization to transact business in this State	<u>33-41-1190</u>
Foreign LLP	Transacting business in this State without registration	<u>33-41-1200</u>
Foreign LP	Registration when no agent has been appointed, the agent's authority has been revoked, or if the agent cannot be found or served with the exercise of reasonable diligence	<u>33-42-1620</u>
Foreign LP	Transacting business in this State without registration	<u>33-42-1670</u>

Domestic LP	Failure to file a certificate of amendment respecting agent for service of process requirements of Section 33-42-50(2) prior to 1/1/88	33-42-220
Foreign rural electric coops	All cases	15-9-250
Unauthorized insurer	Act of transacting business when unauthorized	15-9-280
Intervivos Trusts	If there are no resident trustees, but there is a proceeding in this State and the trust was created under state law or part of the trust property is in SC.	15-9-440
Foreign Nurserymen	If engaged in the nursery business out of state and shipping trees or plants into the state	15-9-460 ; 46-33-40
Foreign Landlord	If a landlord is not a resident of this State or is a corporation not authorized to do business in this State and engaged in any conduct in this State governed by this chapter, or engaged in a transaction subject to this chapter, he may designate an agent upon whom service of process may be made in this State. The agent must be a resident of this State or a corporation authorized to do business in this State. The designation must be in writing and filed with the Secretary of State.	27-40-130