

Sponsor:

DELAWARE STATE SENATE

145th GENERAL ASSEMBLY

SENATE BILL NO. ____

AN ACT TO AMEND TITLE 10 OF THE DELAWARE CODE RELATING TO COURTS AND JUDICIAL PROCEDURE.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF DELAWARE (a majority of all members elected to each house thereof concurring therein):

Section 1. Amend Section 3114, Title 10, Delaware Code, by deleting subsection (c) in its entirety and substituting in lieu thereof the following:

(c) Service of process shall be effected by serving the registered agent (or, if there is none, the Secretary of State) with 1 copy of such process in the manner provided by law for service of writs of summons. In addition, the Prothonotary or the Register in Chancery of the court in which the civil action or proceeding is pending shall, within 7 days of such service, deposit in the United States mails, by registered mail, postage prepaid, true and attested copies of the process, together with a statement that service is being made pursuant to this section, addressed to such director, trustee, member or officer (i) at the corporation's principal place of business and (ii) at the residence address as the same appears on the records of the Secretary of State, or, if no such residence address appears, at the address last known to the party desiring to make such service; provided, however, that if any such director's trustee's, member's or officer's address as described in subpart (ii) of this subsection (c) shall be

the same as the address described in subpart (i), then the Prothonotary or Register in Chancery shall be required to make only one such mailing to such director, trustee, member or officer, at the address described in subpart (i).

Section 2. This Act shall become effective on August 1, 2009.

SYNOPSIS

Section 1. This section eliminates the need for duplicative mailings of process where the residence or last known address of the director, trustee, member or officer is the same as the address of the corporation's principal place of business.

Section 2. This section provides for an effective date of August 1, 2009.