

§421. Superintendent process agent for insurers

1. Before the superintendent authorizes it to transact insurance in this State, each insurer shall appoint an agent to receive service of legal process issued against the insurer in this State. The insurer shall file with the superintendent a copy of the appointment. The notice to the superintendent must be accompanied by a copy of a resolution of the board of directors or like governing body of the insurer, if an incorporated insurer, showing that those officers who executed the appointment were duly authorized to do so on behalf of the insurer. The registered agent must consent to the appointment.
[PL 1997, c. 592, §12 (AMD).]

1-A.

[PL 1997, c. 457, §1 (NEW); MRSA T. 24-A §421, sub-§1-A (RP).]

2.

[PL 1997, c. 457, §12 (RP).]

3. Service of process against a foreign or alien insurer may be made only by service thereof upon the attorney appointed by the insurer.

[PL 1997, c. 457, §13 (AMD).]

4. Service of such process against a domestic insurer may be made as provided hereunder, or in any other manner provided by law.

[PL 1969, c. 132, §1 (NEW).]

5. At the time of application for a certificate of authority the insurer shall file the appointment with the superintendent, together with designation of the person to whom process against it served upon the appointed agent is to be forwarded. The insurer may change such designation by a new filing.

[PL 1997, c. 592, §13 (AMD).]

6. A copy of such appointment, certified by the superintendent, shall be received in evidence in all courts of this State.

[PL 1969, c. 132, §1 (NEW); PL 1973, c. 585, §12 (AMD).]

7. Any person or entity required by Title 24 or this Title to appoint an agent for service of process who does not have a valid appointment on file with the superintendent or required by applicable law to appoint the superintendent as agent for service of process is deemed to have appointed the superintendent as agent for service of process, and process may be served within this State in the same manner as provided in section 2105. This subsection does not relieve that person or entity from any requirement to appoint an agent for service of process or from the applicable penalties for failure to comply with that requirement.

[PL 2013, c. 238, Pt. E, §1 (AMD).]

SECTION HISTORY

PL 1969, c. 132, §1 (NEW). PL 1973, c. 585, §12 (AMD). PL 1997, c. 457, §§10-14 (AMD). PL 1997, c. 592, §§12, 13 (AMD). PL 1999, c. 113, §18 (AMD). PL 2013, c. 238, Pt. E, §1 (AMD).

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