

SENATE BILL No. 496

May 17, 2001, Introduced by Senator BULLARD and referred to the Committee on Financial Services.

A bill to amend 1956 PA 218, entitled "The insurance code of 1956," by amending section 456 (MCL 500.456), as amended by 1989 PA 214.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 456. (1) Every insurance company, association, risk
2 retention group, or purchasing group not organized under the
3 statutes of this state shall file with the commissioner, as a
4 condition precedent to doing business in this state, ~~its irrevoc-~~
5 ~~able written stipulation, duly authenticated by the company or~~
6 ~~group, stipulating and agreeing that any legal process affecting~~
7 ~~the company or group, served on the commissioner or the~~
8 ~~commissioner's deputies, shall have the same effect as if~~
9 ~~personally served~~ THE NAME AND ADDRESS OF A RESIDENT AGENT UPON
10 WHICH ANY LOCAL PROCESS AFFECTING THE COMPANY, ASSOCIATION, OR

SENATE BILL No. 496

1 GROUP MAY BE SERVED. SERVICE UPON THE RESIDENT AGENT DESIGNATED
2 UNDER THIS SECTION IS SERVICE on the company, ASSOCIATION, or
3 group. ~~A copy of the appointment shall be filed with the~~
4 ~~commissioner. Service upon the commissioner shall be considered~~
5 ~~sufficient service upon the company or group and the fee for~~
6 ~~service shall be in the amount of \$5.00 payable at time of~~
7 ~~service.~~ This ~~appointment~~ DESIGNATION shall remain in force as
8 long as any liability remains within this state.

9 (2) AS A CONDITION OF DOING BUSINESS IN THIS STATE, AN UNAU-
10 THORIZED INSURER WHO DOES NOT HAVE A RESIDENT AGENT SHALL FILE
11 WITH THE COMMISSIONER AN IRREVOCABLE WRITTEN STIPULATION AGREEING
12 THAT ANY LEGAL PROCESS AFFECTING THE COMPANY, ASSOCIATION, OR
13 GROUP THAT IS SERVED UPON THE COMMISSIONER OR HIS OR HER DESIGNEE
14 HAS THE SAME EFFECT AS IF PERSONALLY SERVED UPON THE COMPANY,
15 ASSOCIATION, OR GROUP. A COPY OF THE APPOINTMENT SHALL BE FILED
16 WITH THE COMMISSIONER. SERVICE UPON THE COMMISSIONER IS SERVICE
17 UPON THE COMPANY, ASSOCIATION, OR GROUP AND THE FEE FOR SERVICE
18 IS \$10.00 PAYABLE AT TIME OF SERVICE. THIS APPOINTMENT REMAINS
19 IN FORCE AS LONG AS ANY LIABILITY REMAINS WITHIN THIS STATE.