

IN THE HOUSE OF REPRESENTATIVES

HOUSE BILL NO. 190

BY STATE AFFAIRS COMMITTEE

AN ACT

RELATING TO COMMERCIAL REGISTERED AGENTS; AMENDING SECTION 30-21-405, IDAHO  
CODE, TO PROVIDE FOR THE REGISTRATION OF A COMMERCIAL REGISTERED AGENT  
IN CERTAIN CASES.

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

SECTION 1. That Section 30-21-405, Idaho Code, be, and the same is  
hereby amended to read as follows:

30-21-405. LISTING OF COMMERCIAL REGISTERED AGENT. (a) No individual, domestic entity, or foreign entity shall serve as a registered agent in this state for ten (10) or more domestic or foreign entities unless the individual, domestic entity, or foreign entity is registered as a commercial registered agent pursuant to this section. A person may become listed as a commercial registered agent by delivering to the secretary of state for filing a commercial registered agent listing statement signed by the person which states:

(1) The name of the individual or the name of the entity, type of entity, and jurisdiction of formation of the entity;

(2) That the person is in the business of serving as a commercial registered agent in this state; and

(3) The address of a place of business of the person in this state to which service of process, notices, and demands being served on or sent to entities represented by the person may be delivered.

(b) A commercial registered agent listing statement may include the information regarding acceptance by the agent of service of process, notices, and demands in a form other than a written record as provided in section 30-21-412(d), Idaho Code.

(c) If the name of a person delivering to the secretary of state for filing a commercial registered agent listing statement is not distinguishable on the records of the secretary of state from the name of another commercial registered agent listed under this section, the person shall adopt a fictitious name that is distinguishable and use that name in its statement and when it does business in this state as a commercial registered agent.

(d) The secretary of state shall note the filing of a commercial registered agent listing statement in the index of filings maintained by the secretary of state for each entity represented by the agent at the time of the filing. The statement has the effect of amending the registered agent filing for each of those entities to:

(1) Designate the person becoming listed as a commercial registered agent as the commercial registered agent of each of those entities; and

(2) Delete the name and address of the former agent from the registered agent filing of each of those entities.