

**SENATE BILL NO. 2355**

Introduced by

Senators Klein, Taylor

Representative Kreidt

1 A BILL for an Act to amend and reenact section 4-35-11 of the North Dakota Century Code,  
2 relating to designation of the agent for service of process for a nonresident pesticide applicator  
3 or dealer.

4 **BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:**

5 **SECTION 1. AMENDMENT.** Section 4-35-11 of the North Dakota Century Code is  
6 amended and reenacted as follows:

7 **4-35-11. Nonresident application - Designation of agent for service of process.**

8 Any nonresident applying for certification as an applicator or dealer under this chapter to  
9 operate in this state shall file a written power of attorney designating the ~~secretary of state~~  
10 pesticide control board as the agent of such nonresident upon whom service of process may be  
11 had in the event of any suit against said nonresident person, and the power of attorney must be  
12 so prepared and in such form as to render effective the jurisdiction of the courts of this state  
13 over the nonresident applicant; provided, however, that any nonresident who has a duly  
14 appointed resident agent upon whom process may be served as provided by law is not required  
15 to designate the ~~secretary of state~~ board as such agent. The ~~secretary of state~~ board is  
16 allowed such fees therefor as provided by law for designating resident agents. The nonresident  
17 must be furnished with a copy of the designation of the ~~secretary of state~~ board or of a resident  
18 agent. The copy will be duly certified by the ~~secretary of state~~ board.