

IC 34-33-2

Chapter 2. Service of Process on Agent Representing Nonresident Directors of Corporations

IC 34-33-2-1

Service upon resident agent authorized

Sec. 1. (a) In an action commenced in a court of general jurisdiction in Indiana by or against any corporation incorporated under the laws of Indiana, in which one (1) or more of the directors of the corporation is:

- (1) a necessary or proper party; and
- (2) a nonresident of Indiana;

service of summons upon a director for the purpose of obtaining jurisdiction of the person of the director in the action is obtained by serving the summons on the resident agent of the corporation.

(b) If service of process is made upon the resident agent of a corporation, the resident agent shall forward a copy of the process by registered mail to the director at the director's last known address. Service made under this chapter is returnable in not less than thirty (30) days.

As added by P.L.1-1998, SEC.29.

IC 34-33-2-2

Appointment of agent for process; automatic appointment predicated on acceptance of position of director

Sec. 2. (a) This section applies to a person who:

- (1) is a nonresident of Indiana; and
- (2) accepts an election or appointment as a director or serves as a director in a corporation organized under the laws of Indiana.

(b) By and as a condition of:

- (1) accepting an election or appointment as a director; or
- (2) serving as a director;

a person described in subsection (a) automatically appoints the resident agent of the corporation as the person's agent upon whom process may be served in an action commenced by or against the corporation and in which the person is a proper or necessary party.

As added by P.L.1-1998, SEC.29.