
SUBSTITUTE HOUSE BILL 1704

State of Washington

53rd Legislature

1993 Regular Session

By House Committee on Revenue (originally sponsored by Representatives G. Fisher, Locke, Silver, Talcott and Flemming; by request of Secretary of State)

Read first time 03/08/93.

1 AN ACT Relating to fees paid to the secretary of state's office;
2 amending RCW 23.86.070, 23B.01.220, 23B.01.530, 23B.01.560, 24.03.405,
3 24.03.410, 24.06.450, 24.06.520, 24.20.020, 24.24.100, 31.12.085,
4 33.28.010, 43.07.120, 43.07.130, and 46.64.040; adding a new section to
5 chapter 43.07 RCW; providing an effective date; and declaring an
6 emergency.

7 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

8 **Sec. 1.** RCW 23.86.070 and 1991 c 72 s 15 are each amended to read
9 as follows:

10 For filing articles of incorporation of an association organized
11 under this chapter or filing application for a certificate of authority
12 by a foreign corporation, there shall be paid to the secretary of state
13 the sum of twenty-five dollars (~~and for filing of an amendment the sum~~
14 ~~of twenty dollars~~). Fees for filing an amendment to articles of
15 incorporation shall be established by the secretary of state by rule.
16 For filing other documents with the secretary of state and issuing
17 certificates, fees shall be as prescribed in RCW 23B.01.220.
18 Associations subject to this chapter shall not be subject to any
19 corporation license fees excepting the fees hereinabove enumerated.

1 **Sec. 2.** RCW 23B.01.220 and 1992 c 107 s 7 are each amended to read
2 as follows:

3 (1) The secretary of state shall collect in accordance with the
4 provisions of this title:

5 (a) Fees for filing documents and issuing certificates;

6 (b) Miscellaneous charges;

7 (c) License fees as provided in RCW 23B.01.500 through 23B.01.550;

8 (d) Penalty fees; and

9 (e) Other fees as the secretary of state may establish by rule
10 adopted under chapter 34.05 RCW.

11 (2) The secretary of state shall collect the following fees when
12 the documents described in this subsection are delivered for filing:

13 ~~((a))~~ One hundred seventy-five dollars, pursuant to RCW
14 23B.01.520 and 23B.01.540, for:

15 ~~((i))~~ (a) Articles of incorporation; and

16 ~~((ii))~~ (b) Application for certificate of authority;

17 ~~((b) Fifty dollars for an)~~

18 (3) The secretary of state shall establish by rule, fees for the
19 following:

20 (a) Application for reinstatement;

21 ~~((c) Twenty-five dollars for:~~

22 ~~(i))~~ (b) Articles of correction;

23 ~~((ii))~~ (c) Amendment of articles of incorporation;

24 ~~((iii))~~ (d) Restatement of articles of incorporation, with or
25 without amendment;

26 ~~((iv))~~ (e) Articles of merger or share exchange;

27 ~~((v))~~ (f) Articles of revocation of dissolution; ~~((and~~

28 ~~(vi))~~ (g) Application for amended certificate of authority;

29 ~~((d) Twenty dollars for an)~~ (h) Application for reservation,
30 registration, or assignment of reserved name;

31 ~~((e) Ten dollars for:))~~

32 (i) Corporation's statement of change of registered agent or
33 registered office, or both, except where this information is provided
34 in conjunction with and on an initial report or an annual report form
35 filed under RCW 23B.01.530, 23B.01.550, 23B.02.050, or 23B.16.220;

36 ~~((ii))~~ (j) Agent's resignation, or statement of change of
37 registered office, or both, for each affected corporation;

38 ~~((iii))~~ (k) Initial report; and

1 (~~(iv)~~) (1) Any document not listed in this subsection that is
2 required or permitted to be filed under this title~~(v)~~.

3 (~~(f) No fee~~) (4) Fees shall be adjusted by rule only in an amount
4 that does not exceed the average biennial increase in the cost of
5 providing service. This shall be determined in a biennial cost study
6 performed by the secretary.

7 (5) The secretary of state shall not collect fees for:
8 (~~(i)~~) (a) Agent's consent to act as agent;
9 (~~(ii)~~) (b) Agent's resignation, if appointed without consent;
10 (~~(iii)~~) (c) Articles of dissolution;
11 (~~(iv)~~) (d) Certificate of judicial dissolution;
12 (~~(v)~~) (e) Application for certificate of withdrawal; and
13 (~~(vi)~~) (f) Annual report when filed concurrently with the payment
14 of annual license fees.

15 (~~(3)~~) (6) The secretary of state shall collect a fee ~~(of twenty-~~
16 ~~five dollars)~~ in an amount established by the secretary of state by
17 rule per defendant served, upon being served process under this title.
18 The party to a proceeding causing service of process is entitled to
19 recover this fee as costs if such party prevails in the proceeding.

20 (~~(4)~~) (7) The secretary of state shall establish by rule and
21 collect a fee from every person or organization:

22 (a) For furnishing a certified copy of any document, instrument, or
23 paper relating to a corporation~~(, ten dollars for the certificate,~~
24 ~~plus twenty cents for each page copied));~~

25 (b) For furnishing a certificate, under seal, attesting to the
26 existence of a corporation, or any other certificate~~(, ten dollars));~~
27 and

28 (c) For furnishing copies of any document, instrument, or paper
29 relating to a corporation, other than of an initial report or an annual
30 report~~(, one dollar for the first page and twenty cents for each page~~
31 ~~copied thereafter. The fee for furnishing a copy of the most recent~~
32 ~~annual report of a corporation (or of the initial report if no annual~~
33 ~~report has been filed) is one dollar, and the fee for furnishing a copy~~
34 ~~of any other annual report of a corporation is five dollars)).~~

35 (~~(5)~~) (8) For annual license fees for domestic and foreign
36 corporations, see RCW 23B.01.500, 23B.01.510, 23B.01.530, and
37 23B.01.550. For penalties for nonpayment of annual license fees and
38 failure to complete annual report, see RCW 23B.01.570.

1 **Sec. 3.** RCW 23B.01.530 and 1989 c 165 s 19 are each amended to
2 read as follows:

3 For the privilege of doing business, every corporation organized
4 under the laws of this state, except the corporations for which
5 existing law provides a different fee schedule, shall make and file a
6 statement in the form prescribed by the secretary of state and shall
7 pay an annual license fee each year following incorporation, on or
8 before the expiration date of its corporate license, to the secretary
9 of state. The secretary of state shall collect an annual license fee
10 of ten dollars for each inactive corporation and fifty dollars for
11 other corporations. As used in this section, "inactive corporation"
12 means a corporation that certifies at the time of filing under this
13 section that it did not engage in any business activities during the
14 year ending on the expiration date of its corporate license.

15 **Sec. 4.** RCW 23B.01.560 and 1989 c 165 s 22 are each amended to
16 read as follows:

17 (1) A corporation seeking reinstatement shall pay the full amount
18 of all annual corporation license fees which would have been assessed
19 for the license years of the period of administrative dissolution had
20 the corporation been in active status, plus a surcharge (~~(of twenty-~~
21 ~~five percent)~~) established by the secretary of state by rule, and the
22 license fee for the year of reinstatement.

23 (2) The penalties herein established shall be in lieu of any other
24 penalties or interest which could have been assessed by the secretary
25 of state under the corporation laws or which, under those laws, would
26 have accrued during any period of delinquency, dissolution, or
27 expiration of corporate duration.

28 **Sec. 5.** RCW 24.03.405 and 1991 c 223 s 1 are each amended to read
29 as follows:

30 (1) The secretary of state shall charge and collect for:
31 (~~(1)~~) (a) Filing articles of incorporation (~~(or)~~), thirty
32 dollars.
33 (b) Filing an annual report of a domestic or foreign corporation,
34 ten dollars.
35 (c) Filing an application of a foreign corporation for a
36 certificate of authority to conduct affairs in this state, thirty
37 dollars.

1 (2) The secretary of state shall establish by rule, fees for the
2 following:

3 (a) An application for reinstatement under RCW 24.03.386(~~30~~thirty
4 dollars)).

5 ~~((2))~~ (b) Filing articles of amendment or restatement or an
6 amendment or supplement to an application for reinstatement(~~(~~20~~)~~twenty
7 dollars)).

8 ~~((3))~~ (c) Filing articles of merger or consolidation(~~(~~20~~)~~twenty
9 dollars)).

10 ~~((4))~~ (d) Filing a statement of change of address of registered
11 office or change of registered agent, or revocation, resignation, or
12 any combination of these(~~(~~10~~)~~tendollars)). A separate fee for filing
13 such statement shall not be charged if the statement appears in an
14 amendment to articles of incorporation or in conjunction with the
15 filing of the annual report.

16 ~~((5))~~ (e) Filing articles of dissolution, no fee.

17 ~~((6) Filing an application of a foreign corporation for a~~
18 ~~certificate of authority to conduct affairs in this state, thirty~~
19 ~~dollars.~~

20 ~~(7))~~ (f) Filing an application of a foreign corporation for an
21 amended certificate of authority to conduct affairs in this state(~~(~~20~~)~~twenty
22 dollars)).

23 ~~((8))~~ (g) Filing an application for withdrawal of a foreign
24 corporation and issuing a certificate of withdrawal, no fee.

25 ~~((9))~~ (h) Filing a certificate by a foreign corporation of the
26 appointment of a registered agent(~~(~~10~~)~~tendollars)). A separate fee for
27 filing such certificate shall not be charged if the statement appears
28 in conjunction with the filing of the annual report.

29 ~~((10))~~ (i) Filing a certificate of election adopting the
30 provisions of chapter 24.03 RCW(~~(~~20~~)~~twentydollars)).

31 ~~((11))~~ (j) Filing an application to reserve a corporate name(~~(~~20~~)~~twenty
32 dollars)).

33 ~~((12))~~ (k) Filing a notice of transfer of a reserved corporate
34 name(~~(~~20~~)~~twentydollars)).

35 ~~((13))~~ (l) Filing a name registration(~~(~~20~~)~~twentydollars per year,
36 or part thereof)).

37 ~~((14) Filing an annual report of a domestic or foreign~~
38 ~~corporation, ten dollars.~~

1 ~~(15))~~ (m) Filing any other statement or report authorized for
2 filing under this chapter(~~(, ten dollars)~~).

3 (3) Fees shall be adjusted by rule only in an amount that does not
4 exceed the average biennial increase in the cost of providing service.
5 This shall be determined in a biannual cost study performed by the
6 secretary.

7 **Sec. 6.** RCW 24.03.410 and 1982 c 35 s 111 are each amended to read
8 as follows:

9 The secretary of state shall (~~charge~~) establish fees by rule and
10 collect:

11 (1) For furnishing a certified copy of any charter document or any
12 other document, instrument, or paper relating to a corporation(~~(, five~~
13 ~~dollars for the certificate, plus twenty cents for each page copied)~~).

14 (2) For furnishing a certificate, under seal, attesting to the
15 status of a corporation(~~(,)~~) or any other certificate(~~(, five~~
16 ~~dollars)~~).

17 (3) For furnishing copies of any document, instrument or paper
18 relating to a corporation(~~(, one dollar for the first page and twenty~~
19 ~~cents for each page copied thereafter)~~).

20 (4) At the time of any service of process on him or her as
21 registered agent of a corporation(~~(, twenty-five dollars, which)~~) an
22 amount that may be recovered as taxable costs by the party to the suit
23 or action causing such service to be made if such party prevails in the
24 suit or action.

25 **Sec. 7.** RCW 24.06.450 and 1991 c 223 s 2 are each amended to read
26 as follows:

27 (1) The secretary of state shall charge and collect for:

28 (~~(1))~~ (a) Filing articles of incorporation, thirty dollars.

29 (~~(2) Filing articles of amendment or restatement, twenty dollars.~~

30 ~~(3))~~ (b) Filing an annual report, ten dollars.

31 (c) Filing an application of a foreign corporation for a
32 certificate of authority to conduct affairs in this state, thirty
33 dollars.

34 (2) The secretary of state shall establish by rule, fees for the
35 following:

36 (a) Filing articles of amendment or restatement.

37 (b) Filing articles of merger or consolidation(~~(, twenty dollars)~~).

1 ~~((4))~~ (c) Filing a statement of change of address of registered
2 office or change of registered agent, or revocation, resignation, or
3 any combination of these(~~(, ten dollars)~~). A separate fee for filing
4 such statement shall not be charged if the statement appears in an
5 amendment to the articles of incorporation or in conjunction with the
6 annual report.

7 ~~((5))~~ (d) Filing articles of dissolution, no fee.

8 ~~((6) Filing an application of a foreign corporation for a
9 certificate of authority to conduct affairs in this state, thirty
10 dollars.~~

11 ~~(7))~~ (e) Filing an application of a foreign corporation for an
12 amended certificate of authority to conduct affairs in this state(~~(, twenty dollars)~~)).

14 ~~((8))~~ (f) Filing a copy of an amendment to the articles of
15 incorporation of a foreign corporation holding a certificate of
16 authority to conduct affairs in this state(~~(, twenty dollars)~~)).

17 ~~((9))~~ (g) Filing a copy of articles of merger of a foreign
18 corporation holding a certificate of authority to conduct affairs in
19 this state(~~(, twenty dollars)~~)).

20 ~~((10))~~ (h) Filing an application for withdrawal of a foreign
21 corporation and issuing a certificate of withdrawal, no fee.

22 ~~((11))~~ (i) Filing a certificate by a foreign corporation of the
23 appointment of a registered agent(~~(, ten dollars)~~). A separate fee for
24 filing such certificate shall not be charged if the statement appears
25 in an amendment to the articles of incorporation or in conjunction with
26 the annual report.

27 ~~((12))~~ (j) Filing a certificate by a foreign corporation of the
28 revocation of the appointment of a registered agent(~~(, ten dollars)~~).
29 A separate fee for filing such certificate shall not be charged if the
30 statement appears in an amendment to the articles of incorporation or
31 in conjunction with the annual report.

32 ~~((13))~~ (k) Filing an application to reserve a corporate name(~~(, twenty dollars)~~)).

34 ~~((14))~~ (l) Filing a notice of transfer of a reserved corporate
35 name(~~(, twenty dollars)~~)).

36 ~~((15))~~ (m) Filing any other statement or report(~~(, including an
37 annual report,)~~) of a domestic or foreign corporation(~~(, ten dollars)~~)).

38 (3) Fees shall be adjusted by rule in an amount that does not
39 exceed the average biennial increase in the cost of providing service.

1 This shall be determined in a biennial cost study performed by the
2 secretary.

3 **Sec. 8.** RCW 24.06.520 and 1982 c 35 s 162 are each amended to read
4 as follows:

5 If the term of existence of a corporation which was organized under
6 this chapter, or which has availed itself of the privileges thereby
7 provided expires, such corporation shall have the right to renew within
8 two years of the expiration of its term of existence. The corporation
9 may renew the term of its existence for a definite period or
10 perpetually and be reinstated under any name not then in use by or
11 reserved for a domestic corporation organized under any act of this
12 state or a foreign corporation authorized under any act of this state
13 to transact business or conduct affairs in this state. To do so the
14 directors, members and officers shall adopt amended articles of
15 incorporation containing a certification that the purpose thereof is a
16 reinstatement and renewal of the corporate existence. They shall
17 proceed in accordance with the provisions of this chapter for the
18 adoption and filing of amendments to articles of incorporation.
19 Thereupon such corporation shall be reinstated and its corporate
20 existence renewed as of the date on which its previous term of
21 existence expired and all things done or omitted by it or by its
22 officers, directors, agents and members before such reinstatement shall
23 be as valid and have the same legal effect as if its previous term of
24 existence had not expired.

25 A corporation reinstating under this section shall pay to the state
26 all fees and penalties which would have been due if the corporate
27 charter had not expired, plus a reinstatement fee (~~(of twenty five~~
28 ~~dollars))~~ established by the secretary of state by rule.

29 **Sec. 9.** RCW 24.20.020 and 1982 c 35 s 165 are each amended to read
30 as follows:

31 The secretary of state shall file such articles of incorporation in
32 (~~his~~) the secretary of state's office and issue a certificate of
33 incorporation to any such lodge or other society upon the payment of
34 the sum of twenty dollars.

35 **Sec. 10.** RCW 24.24.100 and 1982 c 35 s 167 are each amended to
36 read as follows:

1 The secretary of state shall file such articles of incorporation or
2 amendment thereto in ~~((his))~~ the secretary of state's office and issue
3 a certificate of incorporation or amendment, as the case may be, to
4 such fraternal association upon the payment of a fee in the sum of
5 twenty dollars.

6 **Sec. 11.** RCW 31.12.085 and 1984 c 31 s 10 are each amended to read
7 as follows:

8 (1) Upon the approval of the supervisor under RCW 31.12.075(2), the
9 applicants shall file a copy of the articles of incorporation with the
10 secretary of state. Upon receipt of the approved articles of
11 incorporation and a ~~((five))~~ twenty dollar filing fee to be provided by
12 the applicants, the secretary of state shall file and record the
13 articles of incorporation. The applicants shall in writing promptly
14 notify the supervisor of the exact date of the filing.

15 (2) Upon the filing and recording of the approved articles of
16 incorporation with the secretary of state, the persons named in the
17 articles of incorporation and their successors may operate as a credit
18 union, which shall have the powers and be subject to the duties and
19 obligations of this chapter. A credit union shall not conduct business
20 until the articles have been recorded by the secretary of state.

21 (3) A credit union shall organize and begin business within six
22 months of the date that its articles of incorporation are filed and
23 recorded with the secretary of state or its charter shall become void,
24 unless the supervisor for cause grants an extension of the six-month
25 period. The supervisor shall not grant a single extension exceeding
26 three months, but may grant as many extensions to a credit union as
27 circumstances require.

28 **Sec. 12.** RCW 33.28.010 and 1981 c 302 s 33 are each amended to
29 read as follows:

30 The secretary of state shall collect fees of twenty dollars in
31 advance ~~((the following fees from each association:))~~ for filing
32 articles of incorporation~~((, or amendments thereof, or))~~. The
33 secretary of state shall establish by rule, fees for amendments to
34 articles of incorporation, other certificates required to be filed in
35 his or her office, ~~((ten dollars:))~~ and for furnishing copies of papers
36 filed in his or her office~~((, per folio, twenty cents))~~.

1 Every association shall also pay to the secretary of state, for
2 filing any instrument with him or her, the same fees as are required of
3 general corporations for filing similar papers.

4 NEW SECTION. Sec. 13. A new section is added to chapter 43.07 RCW
5 to read as follows:

6 The secretary of state may adopt rules under chapter 34.05 RCW
7 establishing reasonable fees for the following services rendered under
8 chapter 11.110 or 19.09 RCW:

9 (1) Any service rendered in-person at the secretary of state's
10 office;

11 (2) Any expedited service;

12 (3) The electronic transmittal of documents;

13 (4) The providing of information by microfiche or other reduced-
14 format compilation;

15 (5) The handling of checks or drafts for which sufficient funds are
16 not on deposit;

17 (6) The resubmission of documents previously submitted to the
18 secretary of state where the documents have been returned to the
19 submittor to make such documents conform to the requirements of the
20 applicable statute;

21 (7) The handling of telephone requests for information; and

22 (8) Special search charges.

23 **Sec. 14.** RCW 43.07.120 and 1991 c 72 ú 53 are each amended to read
24 as follows:

25 (1) The secretary of state shall establish by rule and collect the
26 fees ~~((herein prescribed for the secretary of state's official
27 services))~~ in this subsection:

28 (a) For a copy of any law, resolution, record, or other document or
29 paper on file in the secretary's office ~~((for which no other fee is
30 provided, fifty cents per page for the first ten pages and twenty five
31 cents per page for each additional page))~~;

32 (b) For any certificate under seal ~~((, five dollars))~~;

33 (c) For filing and recording trademark ~~((, fifty dollars))~~;

34 (d) For each deed or patent of land issued by the governor ~~((, if
35 for one hundred and sixty acres of land, or less, one dollar, and for
36 each additional one hundred and sixty acres, or fraction thereof, one
37 dollar))~~;

1 (e) For recording miscellaneous records, papers, or other
2 documents(~~(, five dollars for filing each case)~~).

3 (2) The secretary of state may adopt rules under chapter 34.05 RCW
4 establishing reasonable fees for the following services rendered under
5 Title 23B RCW, chapter 18.100, 23.86, 23.90, 24.03, 24.06, 24.12,
6 24.20, 24.24, 24.28, 24.36, or 25.10 RCW:

7 (a) Any service rendered in-person at the secretary of state's
8 office;

9 (b) Any expedited service;

10 (c) The electronic or facsimile transmittal of information from
11 corporation records or copies of documents;

12 (d) The providing of information by (~~microfiche~~) micrographic or
13 other reduced-format compilation;

14 (e) The handling of checks (~~(or)~~), drafts, or credit or debit cards
15 upon adoption of rules authorizing their use for which sufficient funds
16 are not on deposit; and

17 (~~(f) (The resubmission of documents previously submitted to the~~
18 ~~secretary of state where the documents have been returned to the~~
19 ~~submitter to make such documents conform to the requirements of the~~
20 ~~applicable statute~~;

21 (~~g) The handling of telephone requests for information; and~~

22 (~~h~~)) Special search charges.

23 (3) To facilitate the collection of fees, the secretary of state
24 may establish accounts for deposits by persons who may frequently be
25 assessed such fees to pay the fees as they are assessed. The secretary
26 of state may make whatever arrangements with those persons as may be
27 necessary to carry out this section.

28 (4) The secretary of state may adopt rules for the use of credit or
29 debit cards for payment of fees.

30 (5) No member of the legislature, state officer, justice of the
31 supreme court, judge of the court of appeals, or judge of the superior
32 court shall be charged for any search relative to matters pertaining to
33 the duties of his or her office; nor may such official be charged for
34 a certified copy of any law or resolution passed by the legislature
35 relative to his or her official duties, if such law has not been
36 published as a state law.

37 **Sec. 15.** RCW 43.07.130 and 1991 c 72 s 54 are each amended to read
38 as follows:

1 There is created within the state treasury a revolving fund, to be
2 known as the "secretary of state's revolving fund(~~(7)~~)." ~~((which shall~~
3 ~~be used by the office of the secretary of state to defray the costs of~~
4 ~~printing, reprinting, or distributing printed matter authorized by law~~
5 ~~to be issued by the office of the secretary of state, and any other~~
6 ~~cost of carrying out the functions of the secretary of state under~~
7 ~~Title 23B RCW, or chapters 18.100, 23.86, 23.90, 24.03, 24.06, 24.12,~~
8 ~~24.20, 24.24, 24.28, 24.36, or 25.10 RCW.~~

9 ~~The secretary of state is hereby authorized to charge a fee for~~
10 ~~such publications in an amount which will compensate for the costs of~~
11 ~~printing, reprinting, and distributing such printed matter.))~~

12 (1) Fees ((recovered)) received by the secretary of state under RCW
13 43.07.120(2), 23B.01.220(1)(e), ((+3)) (4), and ((+4)) (5),
14 23B.18.050, 24.03.410, 24.06.455, or 46.64.040(, and such other moneys
15 as are expressly designated for deposit in the secretary of state's
16 revolving fund)) shall be ((placed)) deposited in the secretary of
17 state's revolving fund to be used by the office of the secretary of
18 state for the administration of these statutes and enhancement of
19 related services.

20 (2) Fees received by the secretary of state under chapters 11.110
21 and 19.09 RCW shall be deposited in the secretary of state's revolving
22 fund to be used by the office of the secretary of state to defray the
23 cost of administering these chapters.

24 **Sec. 16.** RCW 46.64.040 and 1982 c 35 s 197 are each amended to
25 read as follows:

26 The acceptance by a nonresident of the rights and privileges
27 conferred by law in the use of the public highways of this state, as
28 evidenced by his or her operation of a vehicle thereon, or the
29 operation thereon of his or her vehicle with his or her consent,
30 express or implied, shall be deemed equivalent to and construed to be
31 an appointment by such nonresident of the secretary of state of the
32 state of Washington to be his or her true and lawful attorney upon whom
33 may be served all lawful summons and processes against him or her
34 growing out of any accident, collision, or liability in which such
35 nonresident may be involved while operating a vehicle upon the public
36 highways, or while his or her vehicle is being operated thereon with
37 his or her consent, express or implied, and such operation and
38 acceptance shall be a signification of ((his)) the nonresident's

1 agreement that any summons or process against him or her which is so
2 served shall be of the same legal force and validity as if served on
3 ~~((him))~~ the nonresident personally within the state of Washington.
4 Likewise each resident of this state who, while operating a motor
5 vehicle on the public highways of this state, is involved in any
6 accident, collision or liability and thereafter within three years
7 departs from this state appoints the secretary of state of the state of
8 Washington as his or her lawful attorney for service of summons as
9 provided in this section for nonresidents. Service of such summons or
10 process shall be made by leaving two copies thereof with a fee ~~((of~~
11 ~~twenty-five dollars))~~ established by the secretary of state by rule
12 with the secretary of state of the state of Washington, or at ~~((his))~~
13 the secretary of state's office, and such service shall be sufficient
14 and valid personal service upon said resident or nonresident:
15 PROVIDED, That notice of such service and a copy of the summons or
16 process is forthwith sent by registered mail with return receipt
17 requested, by plaintiff to the defendant at the last known address of
18 the said defendant, and the plaintiff's affidavit of compliance
19 herewith are appended to the process, together with the affidavit of
20 the plaintiff's attorney that ~~((he))~~ the attorney has with due
21 diligence attempted to serve personal process upon the defendant at all
22 addresses known to him or her of defendant and further listing in his
23 or her affidavit the addresses at which he or she attempted to have
24 process served. However, if process is forwarded by registered mail
25 and defendant's endorsed receipt is received and entered as a part of
26 the return of process then the foregoing affidavit of plaintiff's
27 attorney need only show that the defendant received personal delivery
28 by mail: PROVIDED FURTHER, That personal service outside of this state
29 in accordance with the provisions of law relating to personal service
30 of summons outside of this state shall relieve the plaintiff from
31 mailing a copy of the summons or process by registered mail as
32 hereinbefore provided. The secretary of state shall forthwith send one
33 of such copies by mail, postage prepaid, addressed to the defendant at
34 ~~((his))~~ the defendant's address, if known to the secretary of state.
35 The court in which the action is brought may order such continuances as
36 may be necessary to afford the defendant reasonable opportunity to
37 defend the action. The fee ~~((of twenty-five dollars))~~ paid by the
38 plaintiff to the secretary of state shall be taxed as part of his or
39 her costs if he or she prevails in the action. The secretary of state

1 shall keep a record of all such summons and processes, which shall show
2 the day of service.

3 NEW SECTION. **Sec. 17.** This act is necessary for the immediate
4 preservation of the public peace, health, or safety, or support of the
5 state government and its existing public institutions, and shall take
6 effect July 1, 1993.

--- END ---