

13-11-6 Service of process.

- (1) In addition to any other method provided by rule or statute, personal jurisdiction over a supplier may be acquired in a civil action or proceeding instituted in the district court by the service of process as provided in Subsection (3).
- (2)
 - (a) A supplier that engages in any act or practice in this state governed by this chapter, or engages in a consumer transaction subject to this chapter, may designate an agent upon whom service of process may be made in the state.
 - (b) A designation of an agent under Subsection (2)(a) shall be in writing and filed with the Division of Corporations and Commercial Code.
 - (c) An agent designated under this Subsection (2) shall be a resident of or a corporation authorized to do business in the state.
- (3)
 - (a) Subject to Subsection (3)(b), process upon a supplier may be served as provided in Section 16-17-301 if:
 - (i) a designation is not made and filed under Subsection (2); or
 - (ii) process cannot be served in the state upon the designated agent.
 - (b) Service upon a supplier is not effective unless the plaintiff promptly mails a copy of the process and pleadings by registered or certified mail to the defendant at the defendant's last reasonably ascertainable address.
 - (c) The plaintiff shall file an affidavit of compliance with this section:
 - (i) with the clerk of the court; and
 - (ii) on or before the return day of the process, if any, or within any future time the court allows.

Amended by Chapter 152, 2012 General Session