

OFFICE OF THE SECRETARY OF STATE

Service of Process Information

(Revised 4-2-09)

CITES - The following statutes appoint the Secretary of State agent for service of process:

Tex. Agriculture Code Ann. § 76.042
Tex. Alcoholic Beverage Code Ann. §§ 37.05 and 61.07
Tex. Business and Commerce Code Ann. §§ 16.10 and 302.108
Tex. Business Corporation Act Ann. art. 2.11
Tex. Business Corporation Act Ann. arts. 5.16 and 5.20
Tex. Business Corporation Act Ann. arts. 8.10 and 8.14
Tex. Business Organizations Code §§ 5.251, 5.252, 9.011, 10.008 (c) and 10.106 (8)
Tex. Civil Practice and Remedies Code Ann. § 17.044 *Long Arm Statute*
Tex. Civil Practice and Remedies Code Ann. § 17.091
Tex. Civil Practice and Remedies Code Ann. § 101.102 *Tort Claims Act*
Tex. Code of Criminal Procedure Ann. art. 17A.04
Tex. Health and Safety Code Ann. § 221.023 *Health Facilities Development Act*
Tex. Insurance Code Ann. §§ 804.106 and 804.107
Tex. Insurance Code Ann. § 541.255
Tex. Local Government Code Ann. § 303.034
Tex. Occupations Code Ann. § 901.605
Tex. Occupations Code Ann. § 1803.155
Tex. Occupations Code Ann. § 2051.402 (c)
Tex. Occupations Code Ann. § 2301.265
Tex. Probate Code Ann. § 105A
Tex. Revised Civil Statutes Ann. art. 1528n Art. 2.08 and art. 10.11 *Texas Limited Liability Company Act*
Tex. Revised Civil Statutes Ann. art. 5190.6, § 10 *Development Corporation Act of 1979*
Tex. Revised Civil Statutes Ann. art. 6132a-1, §§ 1.08, 9.10 and 2.15 *Revised Limited Partnership Act*
Tex. Revised Civil Statutes Ann. Art. IX, art. 6132b-9.05; Art. X, §§ 10.02 and 10.05 *Revised Partnership Act*
Tex. Revised Civil Statutes Ann. arts. 1396-2.07, 1396-8.09 and 1396-8.13 *Texas Nonprofit Corporation Act*
Tex. Revised Civil Statutes Ann. art. 6138A § 5.20 *Texas Real Estate Investment Trust Act*
Tex. Tax Code Ann. § 171.355
Tex. Water Code Ann. § 7.196

FEES - The Secretary of State receives a **\$40.00** fee for maintaining a record and for forwarding the process, notice or demand. A fee of **\$15.00** is collected for the issuance of a Certificate of Service. *Tex. Gov't. Code Ann. § 405.031*. Checks should be payable to the Secretary of State.

SERVICE INFORMATION - Service upon the Secretary of State may be accomplished via: a Constable of Travis County; a private process server; pursuant to Tex. R. Civ. Proc. Ann. 103; pursuant to Tex. Civ. Prac. & Rem. Code Ann. § 17.026; or other manner set out by rule or statute. **Duplicate copies of all process should be provided**, unless otherwise required by statute or treaty.

When serving through a private process server or Constable in Travis County, **all** fees and process should be forwarded to the serving agency. The fee for the Constable to serve a citation in Travis County is **\$70.00**. Please contact the serving agency for service fees relative to other types of documents (TRO's, writs, etc.). Include a third copy of the citation should an officer's return be required.

The name and appropriate address of the defendant **must** be provided. *1 Tex. Admin. Code § 71.21*. Addresses provided should be appropriate to the statute under which this office is being served.

CERTIFICATES OF SERVICE - Requests for certificates should be made at the time of service. Unless otherwise instructed, certificates will be issued upon completion of the Secretary of State's statutory mailing (i.e., upon receipt of return-receipt card or returned process). If no response has been received after 60 days, a certificate will be issued stating "As of this date, no response has been received in this office".

Certificates will be forwarded to the person requesting service; therefore, please provide this office with any change of address.

FOR ADDITIONAL INFORMATION - Please direct any questions to the Citations Unit at (512) 463-5560, FAX (512) 463-0873. Our addresses are:

Office of the Secretary of State
Statutory Documents Section - Citations Unit

U.S. Mail: P. O. Box 12079
Austin, Texas 78711-2079

Overnight Mail: 1019 Brazos Street
Austin, Texas 78701