

# STATE OF NEW YORK

7471

2025-2026 Regular Sessions

## IN SENATE

April 17, 2025

Introduced by Sen. HOYLMAN-SIGAL -- read twice and ordered printed, and when printed to be committed to the Committee on Corporations, Authorities and Commissions

AN ACT to amend the business corporation law, the executive law, the general associations law, the limited liability company law, the not-for-profit corporation law, the partnership law, the tax law, the administrative code of the city of New York, the real property law, the general business law, the navigation law, and the vehicle and traffic law, in relation to expanding service of process to the department of state in the city of New York

The People of the State of New York, represented in Senate and Assembly, do enact as follows:

1 Section 1. Subparagraph 1 of paragraph (b) of section 306 of the busi-  
2 ness corporation law, as amended by section 2 of part KK of chapter 56  
3 of the laws of 2021, is amended to read as follows:  
4 (1) Service of process on the secretary of state as agent of a domes-  
5 tic or authorized foreign corporation shall be made in the manner  
6 provided by clause (i) or (ii) of this subparagraph. Either option of  
7 service authorized pursuant to this subparagraph shall be available at  
8 no extra cost to the consumer. (i) Personally delivering to and leaving  
9 with the secretary of state or a deputy, or with any person authorized  
10 by the secretary of state to receive such service, at the office of the  
11 department of state in either the city of Albany or New York, duplicate  
12 copies of such process together with the statutory fee, which fee shall  
13 be a taxable disbursement. Service of process on such corporation shall  
14 be complete when the secretary of state is so served. The secretary of  
15 state shall promptly send one of such copies by certified mail, return  
16 receipt requested, to such corporation, at the post office address, on  
17 file in the department of state, specified for the purpose. If a domes-  
18 tic or authorized foreign corporation has no such address on file in the  
19 department of state, the secretary of state shall so mail such copy, in

EXPLANATION--Matter in italics (underscored) is new; matter in brackets [-] is old law to be omitted.

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1 the case of a domestic corporation, in care of any director named in its  
2 certificate of incorporation at the director's address stated therein  
3 or, in the case of an authorized foreign corporation, to such corpo-  
4 ration at the address of its office within this state on file in the  
5 department. (ii) Electronically submitting a copy of the process to the  
6 department of state together with the statutory fee, which fee shall be  
7 a taxable disbursement, through an electronic system operated by the  
8 department of state, provided the domestic or authorized foreign corpo-  
9 ration has an email address on file in the department of state to which  
10 the secretary of state shall email a notice of the fact that process has  
11 been served electronically on the secretary of state. Service of proc-  
12 ess on such corporation shall be complete when the secretary of state  
13 has reviewed and accepted service of such process. The secretary of  
14 state shall promptly send a notice of the fact that process has been  
15 served to such corporation at the email address on file in the depart-  
16 ment of state, specified for the purpose and shall make a copy of the  
17 process available to such corporation.

18 § 2. The executive law is amended by adding a new section 92-a to read  
19 as follows:

20 § 92-a. Service of process. In any case in which service of process on  
21 the secretary of state as agent or attorney of an organization, associ-  
22 ation, partnership, corporation, company, trust or other person or enti-  
23 ty is authorized by law at the office of the department of state in the  
24 city of Albany, service of process on the secretary of state may be made  
25 by personal delivery to the secretary of state or a deputy, or any  
26 person authorized by the secretary of state to receive such service, at  
27 the office of the department of state in the city of New York. The  
28 secretary of state shall so authorize appropriate persons at such  
29 office.

30 § 3. Subdivision 2 of section 172-c of the executive law, as amended  
31 by chapter 43 of the laws of 2002, is amended to read as follows:

32 2. Service of such process upon the secretary of state shall be made  
33 by personally delivering to and leaving with the secretary of state or  
34 any person authorized by the secretary of state to accept such service a  
35 copy thereof at the office of the department of state in either the city  
36 of Albany or New York, and such service shall be sufficient service  
37 provided that notice of such service and a copy of such process are  
38 forthwith sent by the attorney general or any other party to such chari-  
39 table organization by certified mail with return receipt requested, at  
40 its office as set forth in the registration form required to be filed  
41 with the attorney general pursuant to section one hundred seventy-two of  
42 this article, or in default of the filing of such form, at the last  
43 address known to the attorney general or any other party. Service of  
44 such process shall be complete upon the receipt by the attorney general  
45 or any other party of a return receipt purporting to be signed by the  
46 addressee or a person qualified to receive its certified mail, in  
47 accordance with the rules and customs of the post office department, or,  
48 if acceptance was refused by the addressee or its agent, ten days after  
49 the return to the attorney general or any other party of a notation by  
50 the postal authorities that receipt thereof was refused.

51 § 4. Subdivision 2 of section 173-c of the executive law, as amended  
52 by chapter 43 of the laws of 2002, is amended to read as follows:

53 2. Service of such process or notice upon the secretary of state shall  
54 be made by personally delivering to and leaving with the secretary of  
55 state or any person authorized by the secretary of state to accept such  
56 service a copy thereof at the office of the department of state in

1 either the city of Albany or New York, and such service shall be suffi-  
2 cient service provided that notice of such service and a copy of such  
3 process are forthwith sent by the attorney general or other party as the  
4 case may be to such professional fund raiser, fund raising counsel,  
5 professional solicitor or commercial co-venturer by certified mail with  
6 return receipt requested, at the office address as set forth in the  
7 registration form required to be filed with the attorney general pursu-  
8 ant to sections one hundred seventy-three and one hundred  
9 seventy-three-b of this article, or in default of the filing of such  
10 form, at the last address known to the attorney general or other party.  
11 Service of such process shall be complete ten days after the receipt by  
12 the attorney general or other party of a return receipt purporting to be  
13 signed by the addressee or a person qualified to receive the addressee's  
14 certified mail, in accordance with the rules and customs of the post  
15 office department, or, if acceptance was refused by the addressee or the  
16 agent, ten days after the return to the attorney general or other party  
17 of the original envelope bearing a notation by the postal authorities  
18 that receipt thereof was refused.

19 § 5. Section 19 of the general associations law, as amended by section  
20 16 of part KK of chapter 56 of the laws of 2021, is amended to read as  
21 follows:

22 § 19. Service of process. Service of process against an association  
23 upon the secretary of state shall be made in the manner provided by  
24 subdivision one or two of this section. Either option of service author-  
25 ized pursuant to this section shall be available at no extra cost to the  
26 consumer. (1) Personally delivering to and leaving with [~~him or her~~] the  
27 secretary of state or with a person authorized by the secretary of state  
28 to receive such service, duplicate copies of such process at the office  
29 of the department of state in either the city of Albany or New York. At  
30 the time of such service the plaintiff shall pay a fee of forty dollars  
31 to the secretary of state which shall be a taxable disbursement. The  
32 secretary of state shall promptly send by certified mail one of such  
33 copies to the association at the address fixed for that purpose, as  
34 herein provided. (2) Electronically submitting a copy of the process to  
35 the department of state together with the statutory fee, which fee shall  
36 be a taxable disbursement, through an electronic system operated by the  
37 department of state, provided the association has an email address on  
38 file in the department of state to which the secretary of state shall  
39 email a notice of the fact that process has been served electronically  
40 on the secretary of state. Service of process on such association shall  
41 be complete when the secretary of state has reviewed and accepted  
42 service of such process. The secretary of state shall promptly send a  
43 notice of the fact that process against such association has been served  
44 electronically upon [~~him or her~~] the secretary of state, to such associ-  
45 ation at the email address on file in the department of state, specified  
46 for the purpose and shall make a copy of the process available to such  
47 association. If the action or proceeding is instituted in a court of  
48 limited jurisdiction, service of process may be made in the manner  
49 provided in this section if the cause of action arose within the terri-  
50 torial jurisdiction of the court and the office of the defendant, as set  
51 forth in its statement filed pursuant to section eighteen of this [~~chap-~~  
52 ~~ter~~] article, is within such territorial jurisdiction.

53 § 6. Paragraph 1 of subdivision (b) of section 304 of the limited  
54 liability company law, as amended by section 22 of part KK of chapter 56  
55 of the laws of 2021, is amended to read as follows:

1 (1) Personally delivering to and leaving with the secretary of state  
2 or [~~his or her~~] the deputy of the secretary of state, or with any person  
3 authorized by the secretary of state to receive such service, at the  
4 office of the department of state in either the city of Albany or New  
5 York, a copy of such process together with the statutory fee, which fee  
6 shall be a taxable disbursement.

7 § 7. Paragraph (b) of section 306 of the not-for-profit corporation  
8 law, as amended by section 30 of part KK of chapter 56 of the laws of  
9 2021, is amended to read as follows:

10 (b) Service of process on the secretary of state as agent of a domes-  
11 tic corporation formed under article four of this chapter or an author-  
12 ized foreign corporation shall be made in the manner provided by subpar-  
13 agraph one or two of this paragraph. (1) Personally delivering to and  
14 leaving with the secretary of state or [~~his or her~~] the deputy of the  
15 secretary of state, or with any person authorized by the secretary of  
16 state to receive such service, at the office of the department of state  
17 in either the city of Albany or New York, duplicate copies of such proc-  
18 ess together with the statutory fee, which fee shall be a taxable  
19 disbursement. Service of process on such corporation shall be complete  
20 when the secretary of state is so served. The secretary of state shall  
21 promptly send one of such copies by certified mail, return receipt  
22 requested, to such corporation, at the post office address, on file in  
23 the department of state, specified for the purpose. If a domestic corpo-  
24 ration formed under article four of this chapter or an authorized  
25 foreign corporation has no such address on file in the department of  
26 state, the secretary of state shall so mail such copy to such corpo-  
27 ration at the address of its office within this state on file in the  
28 department. (2) Electronically submitting a copy of the process to the  
29 department of state together with the statutory fee, which fee shall be  
30 a taxable disbursement, through an electronic system operated by the  
31 department of state, provided the domestic or authorized foreign corpo-  
32 ration has an email address on file in the department of state to which  
33 the secretary of state shall email a notice of the fact that process has  
34 been served electronically on the secretary of state. Service of proc-  
35 ess on such corporation shall be complete when the secretary of state  
36 has reviewed and accepted service of such process. The secretary of  
37 state shall promptly send a notice of the fact that process against such  
38 corporation has been served electronically on [~~him or her~~] the secretary  
39 of state to such corporation at the email address on file in the depart-  
40 ment of state, specified for the purpose and shall make a copy of the  
41 process available to such corporation.

42 § 8. The opening paragraph of paragraph 2 of subdivision (e) of  
43 section 121-104-A of the partnership law, as added by chapter 448 of the  
44 laws of 1998, is amended to read as follows:

45 Service of such process upon the secretary of state shall be made by  
46 personally delivering to and leaving with [~~him or his~~] the secretary of  
47 state or the deputy of the secretary of state, or with any person  
48 authorized by the secretary of state to receive such service, at the  
49 office of the department of state in either the city of Albany or New  
50 York, a copy of such process together with the statutory fee, which fee  
51 shall be a taxable disbursement. Such service shall be sufficient if  
52 notice thereof and a copy of the process are:

53 § 9. The opening paragraph of paragraph 1 of subdivision (a) of  
54 section 121-109 of the partnership law, as amended by section 41 of part  
55 KK of chapter 56 of the laws of 2021, is amended to read as follows:

1 By personally delivering to and leaving with [~~him or her or his or~~  
2 ~~her~~] the secretary of state or the deputy of the secretary of state, or  
3 with any person authorized by the secretary of state to receive such  
4 service, at the office of the department of state in either the city of  
5 Albany or New York, duplicate copies of such process together with the  
6 statutory fee, which fee shall be a taxable disbursement.

7 § 10. Subdivision (a) of section 121-1505 of the partnership law, as  
8 amended by section 52 of part KK of chapter 56 of the laws of 2021, is  
9 amended to read as follows:

10 (a) Service of process on the secretary of state as agent of a regis-  
11 tered limited liability partnership or New York registered foreign  
12 limited liability partnership under this article shall be made in the  
13 manner provided by paragraph one or two of this subdivision. Either  
14 option of service authorized pursuant to this subdivision shall be  
15 available at no extra cost to the consumer. (1) Personally delivering to  
16 and leaving with the secretary of state or a deputy, or with any person  
17 authorized by the secretary of state to receive such service, at the  
18 office of the department of state in either the city of Albany or New  
19 York, duplicate copies of such process together with the statutory fee,  
20 which fee shall be a taxable disbursement. Service of process on such  
21 registered limited liability partnership shall be complete when the  
22 secretary of state is so served. The secretary of state shall promptly  
23 send one of such copies by certified mail, return receipt requested, to  
24 such registered limited liability partnership, at the post office  
25 address on file in the department of state specified for such purpose.  
26 (2) Electronically submitting a copy of the process to the department of  
27 state together with the statutory fee, which fee shall be a taxable  
28 disbursement, through an electronic system operated by the department of  
29 state, provided the registered limited liability partnership or New York  
30 registered foreign limited liability partnership has an email address on  
31 file in the department of state to which the secretary of state shall  
32 email a notice of the fact that process against such registered limited  
33 liability partnership or New York registered foreign limited liability  
34 partnership served has been electronically served on the secretary of  
35 state. Service of process on such registered limited liability partner-  
36 ship or New York registered foreign limited liability partnership shall  
37 be complete when the secretary of state has reviewed and accepted  
38 service of such process. The secretary of state shall promptly send a  
39 notice of the fact that process against such registered limited liabil-  
40 ity partnership or New York registered foreign limited liability part-  
41 nership has been served electronically upon [~~him or her~~] the secretary  
42 of state, to such registered limited liability partnership or New York  
43 registered foreign limited liability partnership at the email address on  
44 file in the department of state, specified for the purpose and shall  
45 make a copy of the process available to such registered limited liabil-  
46 ity partnership or New York registered foreign limited liability part-  
47 nership.

48 § 11. The opening paragraph of paragraph 2 of subdivision (f) of  
49 section 121-1506 of the partnership law, as added by chapter 448 of the  
50 laws of 1998, is amended to read as follows:

51 Service of such process upon the secretary of state shall be made by  
52 personally delivering to and leaving with [~~him or her~~] the secretary of  
53 state or the deputy of the secretary of state, or with any person  
54 authorized by the secretary of state to receive such service, at the  
55 office of the department of state in either the city of Albany or New  
56 York, a copy of such process together with the statutory fee, which fee

1 shall be a taxable disbursement. Such service shall be sufficient if  
2 notice thereof and a copy of the process are:

3 § 12. Subdivision 2 of section 203 of the tax law, as amended by chap-  
4 ter 100 of the laws of 1964, is amended to read as follows:

5 2. Every foreign corporation (other than a moneyed corporation)  
6 subject to the provisions of this article, except a corporation having a  
7 certificate of authority under former section two hundred twelve of the  
8 general corporation law or having authority to do business by virtue of  
9 section thirteen hundred five of the business corporation law, shall  
10 file in the department of state a certificate of designation in its  
11 corporate name, signed and acknowledged by its president or a vice-pre-  
12 sident or its secretary or treasurer, under its corporate seal, desig-  
13 nating the secretary of state as its agent upon whom process in any  
14 action provided for by this article may be served within this state, and  
15 setting forth an address to which the secretary of state shall mail a  
16 copy of any such process against the corporation which may be served  
17 upon [~~him~~] the secretary of state. In case any such corporation shall  
18 have failed to file such certificate of designation, it shall be deemed  
19 to have designated the secretary of state as its agent upon whom such  
20 process against it may be served; and until a certificate of designation  
21 shall have been filed the corporation shall be deemed to have directed  
22 the secretary of state to mail copies of process served upon [~~him~~] the  
23 secretary of state to the corporation at its last known office address  
24 within or without the state. When a certificate of designation has been  
25 filed by such corporation the secretary of state shall mail copies of  
26 process thereafter served upon [~~him~~] the secretary of state to the  
27 address set forth in such certificate. Any such corporation, from time  
28 to time, may change the address to which the secretary of state is  
29 directed to mail copies of process, by filing a certificate to that  
30 effect executed, signed and acknowledged in like manner as a certificate  
31 of designation as herein provided. Service of process upon any such  
32 corporation or upon any corporation having a certificate of authority  
33 under former section two hundred twelve of the general corporation law  
34 or having authority to do business by virtue of section thirteen hundred  
35 five of the business corporation law, in any action commenced at any  
36 time pursuant to the provisions of this article, may be made by either  
37 (1) personally delivering to and leaving with the secretary of state, a  
38 deputy secretary of state or with any person authorized by the secretary  
39 of state to receive such service duplicate copies thereof at the office  
40 of the department of state in either the city of Albany or New York, in  
41 which event the secretary of state shall forthwith send by registered  
42 mail, return receipt requested, one of such copies to the corporation at  
43 the address designated by it or at its last known office address within  
44 or without the state, or (2) personally delivering to and leaving with  
45 the secretary of state, a deputy secretary of state or with any person  
46 authorized by the secretary of state to receive such service, a copy  
47 thereof at the office of the department of state in either the city of  
48 Albany or New York and by delivering a copy thereof to, and leaving such  
49 copy with, the president, vice-president, secretary, assistant secre-  
50 tary, treasurer, assistant treasurer, or cashier of such corporation, or  
51 the officer performing corresponding functions under another name, or a  
52 director or managing agent of such corporation, personally without the  
53 state. Proof of such personal service without the state shall be filed  
54 with the clerk of the court in which the action is pending within thirty  
55 days after such service, and such service shall be complete ten days  
56 after proof thereof is filed.

1 § 13. Section 216 of the tax law, as added by chapter 415 of the laws  
2 of 1944, the opening paragraph as amended by chapter 100 of the laws of  
3 1964 and as redesignated by chapter 613 of the laws of 1976, is amended  
4 to read as follows:

5 § 216. Collection of taxes. Every foreign corporation (other than a  
6 moneyed corporation) subject to the provisions of this article, except a  
7 corporation having a certificate of authority under former section two  
8 hundred twelve of the general corporation law or having authority to do  
9 business by virtue of section thirteen hundred five of the business  
10 corporation law, shall file in the department of state a certificate of  
11 designation in its corporate name, signed and acknowledged by its presi-  
12 dent or a vice-president or its secretary or treasurer, under its corpo-  
13 rate seal, designating the secretary of state as its agent upon whom  
14 process in any action provided for by this article may be served within  
15 this state, and setting forth an address to which the secretary of state  
16 shall mail a copy of any such process against the corporation which may  
17 be served upon [~~him~~] the secretary of state. In case any such corpo-  
18 ration shall have failed to file such certificate of designation, it  
19 shall be deemed to have designated the secretary of state as its agent  
20 upon whom such process against it may be served; and until a certificate  
21 of designation shall have been filed the corporation shall be deemed to  
22 have directed the secretary of state to mail copies of process served  
23 upon [~~him~~] the secretary of state to the corporation at its last known  
24 office address within or without the state. When a certificate of  
25 designation has been filed by such corporation the secretary of state  
26 shall mail copies of process thereafter served upon [~~him~~] the secretary  
27 of state to the address set forth in such certificate. Any such corpo-  
28 ration, from time to time, may change the address to which the secretary  
29 of state is directed to mail copies of process, by filing a certificate  
30 to that effect executed, signed and acknowledged in like manner as a  
31 certificate of designation as herein provided. Service of process upon  
32 any such corporation or upon any corporation having a certificate of  
33 authority under former section two hundred twelve of the general corpo-  
34 ration law or having authority to do business by virtue of section thir-  
35 teen hundred five of the business corporation law, in any action  
36 commenced at any time pursuant to the provisions of this article, may be  
37 made by either (1) personally delivering to and leaving with the secre-  
38 tary of state, a deputy secretary of state or with any person authorized  
39 by the secretary of state to receive such service duplicate copies ther-  
40 eof at the office of the department of state in either the city of Alba-  
41 ny or New York, in which event the secretary of state shall forthwith  
42 send by registered mail, return receipt requested, one of such copies to  
43 the corporation at the address designated by it or at its last known  
44 office address within or without the state, or (2) personally delivering  
45 to and leaving with the secretary of state, a deputy secretary of state  
46 or with any person authorized by the secretary of state to receive such  
47 service, a copy thereof at the office of the department of state in  
48 either the city of Albany or New York and by delivering a copy thereof  
49 to, and leaving such copy with, the president, vice-president, secre-  
50 tary, assistant secretary, treasurer, assistant treasurer, or cashier of  
51 such corporation, or the officer performing corresponding functions  
52 under another name, or a director or managing agent of such corporation,  
53 personally without the state. Proof of such personal service without  
54 the state shall be filed with the clerk of the court in which the action  
55 is pending within thirty days after such service, and such service shall  
56 be complete ten days after proof thereof is filed.

1 § 14. Subdivision (b) of section 310 of the tax law, as added by chap-  
2 ter 400 of the laws of 1983, is amended to read as follows:

3 (b) Service of process.--Service of process upon any petroleum busi-  
4 ness which is a corporation (including any such petroleum business  
5 having a certificate of authority under former section two hundred  
6 twelve of the general corporation law or having authority to do business  
7 by virtue of section thirteen hundred five of the business corporation  
8 law), in any action commenced at any time pursuant to the provisions of  
9 this article, may be made by either (1) personally delivering to and  
10 leaving with the secretary of state, a deputy secretary of state or with  
11 any person authorized by the secretary of state to receive such service  
12 duplicate copies thereof at the office of the department of state in  
13 either the city of Albany or New York, in which event the secretary of  
14 state shall forthwith send by registered mail, return receipt requested,  
15 one of such copies to such petroleum business at the address designated  
16 by it or at its last known office address within or without the state,  
17 or (2) personally delivering to and leaving with the secretary of state,  
18 a deputy secretary of state or with any person authorized by the secre-  
19 tary of state to receive such service, a copy thereof at the office of  
20 the department of state in either the city of Albany or New York and by  
21 delivering a copy thereof to, and leaving such copy with, the president,  
22 vice-president, secretary, assistant secretary, treasurer, assistant  
23 treasurer, or cashier of such petroleum business, or the officer  
24 performing corresponding functions under another name, or a director or  
25 managing agent of such petroleum business, personally without the state.  
26 Proof of such personal service without the state shall be filed with the  
27 clerk of the court in which the action is pending within thirty days  
28 after such service, and such service shall be complete ten days after  
29 proof thereof is filed.

30 § 15. Subdivision 5 of section 511 of the tax law, as amended by  
31 section 7 of part E of chapter 60 of the laws of 2007, is amended to  
32 read as follows:

33 5. The operation by a nonresident of a vehicular unit in this state or  
34 the operation in this state of a motor vehicle, trailer, semi-trailer,  
35 dolly or other device owned by a nonresident shall be deemed equivalent  
36 to an appointment by such nonresident of the secretary of state to be  
37 [~~his~~] the nonresident's true and lawful attorney upon whom may be served  
38 the process in any action or proceeding against [~~him~~] the nonresident  
39 growing out of any liability for fees, taxes, penalties or interest  
40 under this article and such operation shall be deemed a signification of  
41 [~~his~~] the nonresident's agreement that any such process against [~~him~~]  
42 the nonresident which is so served shall be of the same legal force and  
43 validity as if served on [~~him~~] the nonresident personally within the  
44 state and within the territorial jurisdiction of the court from which  
45 the process issues. Service of process shall be made by either (1)  
46 personally delivering to and leaving with the secretary of state or a  
47 deputy secretary of state duplicate copies thereof at the office of the  
48 department of state in either the city of Albany or New York, in which  
49 event the secretary of state shall forthwith send by registered mail one  
50 of such copies to the person at the address designated by [~~him~~] the  
51 nonresident in [~~his~~] the nonresident's application for a certificate of  
52 registration under this article or in the last return filed by [~~him~~] the  
53 nonresident under this article or as shown on the records of the commis-  
54 sioner, or if no application has been filed, at [~~his~~] the nonresident's  
55 last known office address within or without the state, or (2) personally  
56 delivering to and leaving with the secretary of state or a deputy secre-

1 tary of state a copy thereof at the office of the department of state in  
2 either the city of Albany or New York and by delivering a copy thereof  
3 to the person, personally without the state. Proof of such personal  
4 service without the state shall be filed with the clerk of the court in  
5 which the process is pending within thirty days after such service and  
6 such service shall be complete ten days after proof thereof is filed.

7 § 16. The opening paragraph of paragraph 2 of subdivision (e) of  
8 section 301-A of the limited liability company law, as added by chapter  
9 448 of the laws of 1998, is amended to read as follows:

10 Service of such process upon the secretary of state shall be made by  
11 personally delivering to and leaving with [~~him or his~~] the secretary of  
12 state or the deputy of the secretary of state, or with any person  
13 authorized by the secretary of state to receive such service, at the  
14 office of the department of state in either the city of Albany or New  
15 York, a copy of such process together with the statutory fee, which fee  
16 shall be a taxable disbursement. Such service shall be sufficient if  
17 notice thereof and a copy of the process are:

18 § 17. Subdivision (a) of section 303 of the limited liability company  
19 law, as amended by section 21 of part KK of chapter 56 of the laws of  
20 2021, is amended to read as follows:

21 (a) Service of process on the secretary of state as agent of a domes-  
22 tic limited liability company or authorized foreign limited liability  
23 company shall be made in the manner provided by paragraph one or two of  
24 this subdivision. Either option of service authorized pursuant to this  
25 subdivision shall be available at no extra cost to the consumer. (1)  
26 Personally delivering to and leaving with the secretary of state or [~~his~~  
27 ~~or her~~] the deputy of the secretary of state, or with any person author-  
28 ized by the secretary of state to receive such service, at the office of  
29 the department of state in either the city of Albany or New York, dupli-  
30 cate copies of such process together with the statutory fee, which fee  
31 shall be a taxable disbursement. Service of process on such limited  
32 liability company shall be complete when the secretary of state is so  
33 served. The secretary of state shall promptly send one of such copies by  
34 certified mail, return receipt requested, to such limited liability  
35 company at the post office address on file in the department of state  
36 specified for that purpose. (2) Electronically submitting a copy of the  
37 process to the department of state together with the statutory fee,  
38 which fee shall be a taxable disbursement, through an electronic system  
39 operated by the department of state, provided the domestic or authorized  
40 foreign limited liability company has an email address on file in the  
41 department of state to which the secretary of state shall email a notice  
42 of the fact that process has been served electronically on the secretary  
43 of state. Service of process on such limited liability company shall be  
44 complete when the secretary of state has reviewed and accepted service  
45 of such process. The secretary of state shall promptly send a notice of  
46 the fact that process against such limited liability company has been  
47 served electronically on [~~him or her~~] the secretary of state to such  
48 limited liability company at the email address on file in the department  
49 of state, specified for the purpose and shall make a copy of the process  
50 available to such limited liability company.

51 § 18. Subparagraph 1 of paragraph (b) of section 307 of the not-for-  
52 profit corporation law, as amended by section 31 of part KK of chapter  
53 56 of the laws of 2021, is amended to read as follows:

54 (1) Service of such process upon the secretary of state shall be made  
55 in the manner provided by items (i) or (ii) of this subparagraph.  
56 Either option of service authorized pursuant to this paragraph shall be

1 available at no extra cost to the consumer. (i) Personally delivering to  
2 and leaving with [~~him or his~~] the secretary of state or the deputy of  
3 the secretary of state, or with any person authorized by the secretary  
4 of state to receive such service, at the office of the department of  
5 state in either the city of Albany or New York, a copy of such process  
6 together with the statutory fee, which fee shall be a taxable disburse-  
7 ment. (ii) Electronically submitting a copy of the process to the  
8 department of state together with the statutory fee, which fee shall be  
9 a taxable disbursement, through an electronic system operated by the  
10 department of state.

11 § 19. The opening paragraph of subparagraph 2 of paragraph (e) of  
12 section 306-a of the business corporation law, as added by chapter 469  
13 of the laws of 1997, is amended to read as follows:

14 Service of such process upon the secretary of state shall be made by  
15 personally delivering to and leaving with [~~him or his~~] the secretary of  
16 state or the deputy of the secretary of state, or with any person  
17 authorized by the secretary of state to receive such service, at the  
18 office of the department of state in either the city of Albany or New  
19 York, a copy of such process together with the statutory fee, which fee  
20 shall be a taxable disbursement. Such service shall be sufficient if  
21 notice thereof and a copy of the process are:

22 § 20. The opening paragraph of paragraph (b) of section 307 of the  
23 business corporation law, as amended by section 3 of part KK of chapter  
24 56 of the laws of 2021, is amended to read as follows:

25 Service of such process upon the secretary of state shall be made in  
26 the manner provided by subparagraph [~~one or two~~] (i) or (ii) of this  
27 paragraph. Either option of service authorized pursuant to this para-  
28 graph shall be available at no extra cost to the consumer[~~-(1)~~]: (i)  
29 Personally delivering to and leaving with [~~him or his~~] the secretary of  
30 state or the deputy of the secretary of state, or with any person  
31 authorized by the secretary of state to receive such service, at the  
32 office of the department of state in either the city of Albany or New  
33 York, a copy of such process together with the statutory fee, which fee  
34 shall be a taxable disbursement[~~-(2)~~] (ii) Electronically submitting a  
35 copy of the process to the department of state together with the statu-  
36 tory fee, which fee shall be a taxable disbursement, through an elec-  
37 tronic system operated by the department of state. Such service shall be  
38 sufficient if notice thereof and a copy of the process are:

39 § 21. Section 11-609 of the administrative code of the city of New  
40 York is amended to read as follows:

41 § 11-609 Collection of taxes. Every foreign corporation (other than a  
42 moneyed corporation) subject to the provisions of this subchapter,  
43 except a corporation having authority to do business by virtue of  
44 section thirteen hundred five of the business corporation law, shall  
45 file in the department of state a certificate of designation in its  
46 corporate name, signed and acknowledged by its president or a vice-pre-  
47 sident or its secretary or treasurer, under its corporate seal, desig-  
48 nating the secretary of state as its agent upon whom process in any  
49 action provided for by this subchapter may be served within this state,  
50 and setting forth an address to which the secretary of state shall mail  
51 a copy of any such process against the corporation which may be served  
52 upon the secretary of state. In case any such corporation shall have  
53 failed to file such certificate of designation, it shall be deemed to  
54 have designated the secretary of state as its agent upon whom such proc-  
55 ess against it may be served; and until a certificate of designation  
56 shall have been filed the corporation shall be deemed to have directed

1 the secretary of state to mail copies of process served upon [~~him or~~  
2 ~~her~~] the secretary of state to the corporation at its last known office  
3 address within or without the state. When a certificate of designation  
4 has been filed by such corporation the secretary of state shall mail  
5 copies of process thereafter served upon the secretary of state to the  
6 address set forth in such certificate. Any such corporation, from time  
7 to time, may change the address to which the secretary of state is  
8 directed to mail copies of process, by filing a certificate to that  
9 effect executed, signed and acknowledged in like manner as a certificate  
10 of designation as herein provided. Service of process upon any such  
11 corporation or upon any corporation having a certificate of authority  
12 under former section two hundred twelve of the general corporation law  
13 or having authority to do business by virtue of section thirteen hundred  
14 five of the business corporation law, in any action commenced at any  
15 time pursuant to the provisions of this subchapter, may be made by  
16 either: (a) personally delivering to and leaving with the secretary of  
17 state, a deputy secretary of state or with any person authorized by the  
18 secretary of state to receive such service duplicate copies thereof at  
19 the office of the department of state in either the city of Albany or  
20 New York, in which event the secretary of state shall forthwith send by  
21 registered mail, return receipt requested, one of such copies to the  
22 corporation at the address designated by it or at its last known office  
23 address within or without the state, or (b) personally delivering to and  
24 leaving with the secretary of state, a deputy secretary of state or with  
25 any person authorized by the secretary of state to receive such service,  
26 a copy thereof at the office of the department of state in either the  
27 city of Albany or New York and by delivering a copy thereof to, and  
28 leaving such copy with, the president, vice-president, secretary,  
29 assistant secretary, treasurer, assistant treasurer, or cashier of such  
30 corporation, or the officer performing corresponding functions under  
31 another name, or a director or managing agent of such corporation,  
32 personally without the state. Proof of such personal service without the  
33 state shall be filed with the clerk of the court in which the action is  
34 pending within thirty days after such service, and such service shall be  
35 complete ten days after proof thereof is filed.

36 § 22. Section 11-659 of the administrative code of the city of New  
37 York, as added by section 1 of part D of chapter 60 of the laws of 2015,  
38 is amended to read as follows:

39 § 11-659 Collection of taxes. Every foreign corporation (other than a  
40 moneyed corporation) subject to the provisions of this subchapter,  
41 except a corporation having authority to do business by virtue of  
42 section thirteen hundred five of the business corporation law, shall  
43 file in the department of state a certificate of designation in its  
44 corporate name, signed and acknowledged by its president or a vice-pre-  
45 sident or its secretary or treasurer, under its corporate seal, desig-  
46 nating the secretary of state as its agent upon whom process in any  
47 action provided for by this subchapter may be served within this state,  
48 and setting forth an address to which the secretary of state shall mail  
49 a copy of any such process against the corporation which may be served  
50 upon the secretary of state. In case any such corporation shall have  
51 failed to file such certificate of designation, it shall be deemed to  
52 have designated the secretary of state as its agent upon whom such proc-  
53 ess against it may be served; and until a certificate of designation  
54 shall have been filed the corporation shall be deemed to have directed  
55 the secretary of state to mail copies of process served upon [~~him or~~  
56 ~~her~~] the secretary of state to the corporation at its last known office

1 address within or without the state. When a certificate of designation  
2 has been filed by such corporation the secretary of state shall mail  
3 copies of process thereafter served upon the secretary of state to the  
4 address set forth in such certificate. Any such corporation, from time  
5 to time, may change the address to which the secretary of state is  
6 directed to mail copies of process, by filing a certificate to that  
7 effect executed, signed and acknowledged in like manner as a certificate  
8 of designation as herein provided. Service of process upon any such  
9 corporation or upon any corporation having a certificate of authority  
10 under section eight hundred five of the limited liability company law or  
11 having authority to do business by virtue of section thirteen hundred  
12 five of the business corporation law, in any action commenced at any  
13 time pursuant to the provisions of this subchapter, may be made by  
14 either: (a) personally delivering to and leaving with the secretary of  
15 state, a deputy secretary of state or with any person authorized by the  
16 secretary of state to receive such service duplicate copies thereof at  
17 the office of the department of state in either the city of Albany or  
18 New York, in which event the secretary of state shall forthwith send by  
19 registered mail, return receipt requested, one of such copies to the  
20 corporation at the address designated by it or at its last known office  
21 address within or without the state, or (b) personally delivering to and  
22 leaving with the secretary of state, a deputy secretary of state or with  
23 any person authorized by the secretary of state to receive such service,  
24 a copy thereof at the office of the department of state in either  
25 the city of Albany or New York and by delivering a copy thereof to, and  
26 leaving such copy with, the president, vice-president, secretary,  
27 assistant secretary, treasurer, assistant treasurer, or cashier of such  
28 corporation, or the officer performing corresponding functions under  
29 another name, or a director or managing agent of such corporation,  
30 personally without the state. Proof of such personal service without the  
31 state shall be filed with the clerk of the court in which the action is  
32 pending within thirty days after such service, and such service shall be  
33 complete ten days after proof thereof is filed.

34 § 23. Subdivision 1 of section 11-665 of the administrative code of  
35 the city of New York is amended to read as follows:

36 1. Every foreign corporation (other than a moneyed corporation)  
37 subject to the provisions of this subchapter, except a corporation  
38 having authority to do business by virtue of section thirteen hundred  
39 five of the business corporation law, shall file in the department of  
40 state a certificate of designation in its corporate name, signed and  
41 acknowledged by its president or vice-president or its secretary or  
42 treasurer, under its corporate seal, designating the secretary of state  
43 as its agent upon whom process in any action provided for by this  
44 subchapter or subchapter five of this chapter may be served within this  
45 state, and setting forth an address to which the secretary of state  
46 shall mail a copy of any such process against the corporation which may  
47 be served upon the secretary of state. In case any such corporation  
48 shall have failed to file such certificate of designation, it shall be  
49 deemed to have designated the secretary of state as its agent upon whom  
50 such process against it may be served; and until a certificate of desig-  
51 nation shall have been filed the corporation shall be deemed to have  
52 directed the secretary of state to mail copies of process served upon  
53 the secretary of state to the corporation at its last known office  
54 address within or without the state. When a certificate of designation  
55 has been filed by such corporation the secretary of state shall mail  
56 copies of process thereafter served upon the secretary of state to the

1 address set forth in such certificate. Any such corporation, from time  
2 to time, may change the address to which the secretary of state is  
3 directed to mail copies of process, by filing a certificate to that  
4 effect executed, signed and acknowledged in like manner as a certificate  
5 of designation as herein provided. Service of process upon any such  
6 corporation or upon any corporation having authority to do business by  
7 virtue of section thirteen hundred five of the business corporation law,  
8 in any action commenced at any time pursuant to the provisions of this  
9 subchapter five or former subchapter six of this chapter may be made by  
10 either: (1) personally delivering to and leaving with the secretary of  
11 state, a deputy secretary of state or with any person authorized by the  
12 secretary of state to receive such service duplicate copies thereof at  
13 the office of the department of state in either the city of Albany or  
14 New York, in which event the secretary of state shall forthwith send by  
15 registered mail, return receipt requested, one of such copies to the  
16 corporation at the address designated by it or at its last known office  
17 address within or without the state, or (2) personally delivering to and  
18 leaving with the secretary of state, a deputy secretary of state or with  
19 any person authorized by the secretary of state to receive such service,  
20 a copy thereof at the office of the department of state in either the  
21 city of Albany or New York and by delivering a copy hereof to, and leav-  
22 ing such copy with, the president, vice-president, secretary, assistant  
23 secretary, treasurer, assistant treasurer, or cashier of such corpo-  
24 ration, or the officer performing corresponding functions under another  
25 name, or a director or managing agent of such corporation, personally  
26 without the state. Proof of such personal service without the state  
27 shall be filed with the clerk of the court in which the action is pend-  
28 ing within thirty days after such service, and such service shall be  
29 complete ten days after proof thereof is filed.

30 § 24. Subdivision 7 of section 339-n of the real property law, as  
31 amended by section 53 of part KK of chapter 56 of the laws of 2021, is  
32 amended to read as follows:

33 7. A designation of the secretary of state as agent of the corporation  
34 or board of managers upon whom process against it may be served and the  
35 post office address within or without this state to which the secretary  
36 of state shall mail a copy of any process against it served upon [~~him or~~  
37 ~~her~~] the secretary of state. The designation may include an email  
38 address to which the secretary of state shall email a notice of the fact  
39 that process against it has been electronically served upon [~~him or her~~]  
40 the secretary of state. Service of process on the secretary of state as  
41 agent of such corporation or board of managers shall be made in the  
42 manner provided by paragraph (a) or (b) of this subdivision. Either  
43 option of service authorized pursuant to this subdivision shall be  
44 available at no extra cost to the consumer. (a) Personally delivering to  
45 and leaving with [~~him or her or his or her~~] the secretary of state or  
46 the deputy of the secretary of state, or with any person authorized by  
47 the secretary of state to receive such service, at the office of the  
48 department of state in either the city of Albany or New York, duplicate  
49 copies of such process together with the statutory fee, which shall be a  
50 taxable disbursement. Service of process on such corporation or board of  
51 managers shall be complete when the secretary of state is so served. The  
52 secretary of state shall promptly send one of such copies by certified  
53 mail, return receipt requested, to such corporation or board of manag-  
54 ers, at the post office address, on file in the department of state,  
55 specified for such purpose. (b) Electronically submitting a copy of the  
56 process to the department of state together with the statutory fee,

1 which fee shall be a taxable disbursement, through an electronic system  
2 operated by the department of state, provided the corporation or board  
3 of managers has an email address on file in the department of state to  
4 which the secretary of state shall email a notice of the fact that proc-  
5 ess against the corporation or board of managers has been served elec-  
6 tronically on the secretary of state. Service of process on such corpo-  
7 ration or board of managers shall be complete when the secretary of  
8 state has reviewed and accepted service of such process. The secretary  
9 of state shall promptly send notice of the fact that process has been  
10 served electronically on the secretary of state to such corporation or  
11 board of managers at the email address on file in the department of  
12 state, specified for the purpose and shall make a copy of the process  
13 available to such corporation or board of managers. Nothing in this  
14 subdivision shall affect the right to serve process in any other manner  
15 permitted by law. The corporation or board of managers shall also file  
16 with the secretary of state the name and post office address within or  
17 without this state to which the secretary of state shall mail a copy of  
18 any process against it served upon the secretary of state and shall  
19 update the filing as necessary.

20 § 25. Subdivision 3 of section 442-g of the real property law, as  
21 amended by chapter 482 of the laws of 1963, is amended to read as  
22 follows:

23 3. Service of such process upon the secretary of state shall be made  
24 by personally delivering to and leaving with [~~him or his~~] the secretary  
25 of state or the deputy of the secretary of state or with any person  
26 authorized by the secretary of state to receive such service, at the  
27 office of the department of state in either the city of Albany or New  
28 York, duplicate copies of such process together with a fee of five  
29 dollars if the action is solely for the recovery of a sum of money not  
30 in excess of two hundred dollars and the process is so endorsed, and a  
31 fee of ten dollars in any other action or proceeding, which fee shall be  
32 a taxable disbursement. If such process is served upon behalf of a coun-  
33 ty, city, town or village, or other political subdivision of the state,  
34 the fee to be paid to the secretary of state shall be five dollars,  
35 irrespective of the amount involved or the nature of the action on  
36 account of which such service of process is made. If the cost of regis-  
37 tered mail for transmitting a copy of the process shall exceed two  
38 dollars, an additional fee equal to such excess shall be paid at the  
39 time of the service of such process. Proof of service shall be by affi-  
40 davit of compliance with this subdivision filed by or on behalf of the  
41 plaintiff together with the process, within ten days after such service,  
42 with the clerk of the court in which the action or special proceeding is  
43 pending. Service made as provided in this section shall be complete ten  
44 days after such papers are filed with the clerk of the court and shall  
45 have the same force and validity as if served on [~~him~~] the secretary of  
46 state personally within the state and within the territorial jurisdic-  
47 tion of the court from which the process issues.

48 § 26. Subdivision 2 of section 250 of the general business law, as  
49 amended by chapter 103 of the laws of 1981, is amended to read as  
50 follows:

51 2. A summons in an action described in this section may issue in any  
52 court in the state having jurisdiction of the subject matter and be  
53 served as hereinafter provided. Service of such summons shall be made by  
54 mailing a copy thereof to the office of the secretary of state [~~at his~~  
55 ~~office~~] in either the city of Albany or New York, or by personally  
56 delivering a copy thereof to one of [~~his~~] the regularly established

1 offices, with a fee of ten dollars, and such service shall be sufficient  
2 service upon such nonresident provided that notice of such service and a  
3 copy of the summons and complaint are forthwith sent by or on behalf of  
4 the plaintiff to the defendant by registered mail with return receipt  
5 requested. The plaintiff shall file with the clerk of the court in which  
6 the action is pending, or with the judge or justice of such court in  
7 case there be no clerk, an affidavit of compliance herewith, a copy of  
8 the summons and complaint, and either a return receipt purporting to be  
9 signed by the defendant or a person qualified to receive ~~[his]~~ the  
10 defendant's registered mail, in accordance with the rules and customs of  
11 the post office department; or, if acceptance was refused by the defend-  
12 ant or ~~[his]~~ the defendant's agent, the original envelope bearing a  
13 notation by the postal authorities that receipt was refused, and an  
14 affidavit by or on behalf of the plaintiff that notice of such mailing  
15 and refusal was forthwith sent to the defendant by ordinary mail. Where  
16 the summons is mailed to a foreign country, other official proof of the  
17 delivery of the mail may be filed in case the post office department is  
18 unable to obtain such a return receipt. The foregoing papers shall be  
19 filed within thirty days after the return receipt or other official  
20 proof of delivery or the original envelope bearing a notation of  
21 refusal, as the case may be, is received by the plaintiff. Service of  
22 process shall be complete when such papers are filed. The return receipt  
23 or other official proof of delivery shall constitute presumptive  
24 evidence that the summons mailed was received by the defendant or a  
25 person qualified to receive ~~[his]~~ the defendant's registered mail; and  
26 the notation of refusal shall constitute presumptive evidence that the  
27 refusal was by the defendant or ~~[his]~~ the defendant's agent. Service of  
28 such summons also may be made by mailing a copy thereof to the office of  
29 the secretary of state ~~[at his office]~~ in either the city of Albany or  
30 New York, or by personally delivering a copy thereof to one of ~~[his]~~ the  
31 regularly established offices, with a fee of ten dollars, and by deliver-  
32 ing a duplicate copy thereof, with a complaint annexed thereto, to the  
33 defendant personally without the state by a resident or citizen of the  
34 state of New York or a sheriff, under-sheriff, deputy-sheriff or constable  
35 of the county or other political subdivision in which the personal  
36 service is made, or an officer authorized by the laws of this state, to  
37 take acknowledgments of deeds to be recorded in this state, or an attorney  
38 and/or counselor at law, solicitor, advocate or barrister duly qual-  
39 ified to practice in the state or country where such service is made, or  
40 by a United States marshal or deputy United States marshal. Proof of  
41 personal service without the state shall be filed with the clerk of the  
42 court in which the action is pending within thirty days after such  
43 service. Personal service without the state is complete when proof thereof  
44 is filed. The court in which the action is pending may order such  
45 extensions as may be necessary to afford the defendant reasonable opportunity  
46 to defend the action.

47 § 27. Subdivision 2 of section 352-b of the general business law, as  
48 amended by chapter 252 of the laws of 1983, is amended to read as  
49 follows:

50 2. Service of such process upon the secretary of state shall be made  
51 by personally delivering to and leaving with ~~[him]~~ the secretary of  
52 state or a deputy secretary of state a copy thereof at the office of the  
53 department of state in either the city of Albany or New York, and such  
54 service shall be sufficient service provided that notice of such service  
55 and a copy of such process are forthwith sent by the attorney general to  
56 such person, partnership, corporation, company, trust or association, by

1 registered or certified mail with return receipt requested, at [~~his or~~  
2 ~~its~~] the addressee's office as set forth in the "broker-dealer's state-  
3 ment", "salesman's statement" or "investment advisor's statement" filed  
4 in the department of law pursuant to section three hundred fifty-nine-e  
5 or section three hundred fifty-nine-eee of this article, or in default  
6 of the filing of such statement, at the last address known to the attor-  
7 ney general. Service of such process shall be complete on receipt by the  
8 attorney general of a return receipt purporting to be signed by the  
9 addressee or a person qualified to receive [~~his or its~~] the addressee's  
10 registered or certified mail, in accordance with the rules and customs  
11 of the post office department, or, if acceptance was refused by the  
12 addressee or [~~his or its~~] the addressee's agent, on return to the attor-  
13 ney general of the original envelope bearing a notation by the postal  
14 authorities that receipt thereof was refused.

15 § 28. Subdivision 2 of section 48 of the navigation law, as amended by  
16 chapter 166 of the laws of 1991, is amended to read as follows:

17 2. A summons in an action described in this section may issue in any  
18 court in the state having jurisdiction of the subject matter and be  
19 served as hereinafter provided. Service of such summons shall be made by  
20 mailing a copy thereof to the office of the secretary of state at [~~his~~]  
21 the office of the secretary of state in either the city of Albany or New  
22 York, or by personally delivering a copy thereof to one of [~~his~~] the  
23 regularly established offices, with a fee of ten dollars, and such  
24 service shall be sufficient service upon such non-resident provided that  
25 notice of such service and a copy of the summons and complaint are  
26 forthwith sent by or on behalf of the plaintiff to the defendant by  
27 registered mail with return receipt requested. The plaintiff shall file  
28 with the clerk of the court in which the action is pending, or with the  
29 judge or justice of such court in case there be no clerk, an affidavit  
30 of compliance herewith, a copy of the summons and complaint, and either  
31 a return receipt purporting to be signed by the defendant or a person  
32 qualified to receive [~~his~~] the defendant's registered mail, in accord-  
33 ance with the rules [~~an~~] and customs of the post-office department; or,  
34 if acceptance was refused by the defendant or [~~his~~] such defendant's  
35 agent, the original envelope bearing a notation by the postal authori-  
36 ties that receipt was refused, and an affidavit by or on behalf of the  
37 plaintiff that notice of such mailing and refusal was forthwith sent to  
38 the defendant by ordinary mail. Where the summons is mailed to a foreign  
39 country, other official proof of the delivery of the mail may be filed  
40 in case the post-office department is unable to obtain such a return  
41 receipt. The foregoing papers shall be filed within thirty days after  
42 the return receipt or other official proof of delivery or the original  
43 envelope bearing a notation of refusal, as the case may be, is received  
44 by the plaintiff. Service of process shall be complete ten days after  
45 such papers are filed. The return receipt or other official proof of  
46 delivery shall constitute presumptive evidence that the summons mailed  
47 was received by the defendant or a person qualified to receive [~~his~~] the  
48 defendant's registered mail; and the notation or refusal shall consti-  
49 tute presumptive evidence that the refusal was by the defendant or [~~his~~]  
50 the defendant's agent. Service of such summons also may be made by mail-  
51 ing a copy thereof to the office of the secretary of state [~~at this~~  
52 ~~office~~] in either the city of Albany or New York, or by personally  
53 delivering a copy thereof to one of [~~his~~] the regularly established  
54 offices, with a fee of ten dollars, and by delivering a duplicate copy  
55 thereof, with the complaint annexed thereto, to the defendant personally  
56 without the state by a resident or citizen of the state of New York or a

1 sheriff, under-sheriff, deputy-sheriff or constable of the county or  
2 other political subdivision in which the personal service is made, or an  
3 officer authorized by the laws of this state, to take acknowledgements  
4 of deeds to be recorded in this state, or an attorney and/or counselor  
5 at law, solicitor, advocate or barrister duly qualified to practice in  
6 the state or country where such service is made, or by a United States  
7 marshal or deputy United States marshal. Proof of personal service with-  
8 out the state shall be filed with the clerk of the court in which the  
9 action is pending within thirty days after such service. Personal  
10 service without the state is complete ten days after proof thereof is  
11 filed. The court in which the action is pending may order such exten-  
12 sions as may be necessary to afford the defendant reasonable opportunity  
13 to defend the action.

14 Nothing herein shall be construed as affecting other methods of  
15 service of process against non-residents as provided by law.

16 § 29. Subdivision 2 of section 74 of the navigation law, as amended by  
17 chapter 395 of the laws of 1963, is amended to read as follows:

18 2. A summons and complaint in an action described in this section may  
19 issue in any court in the state having jurisdiction of the subject  
20 matter and be served as hereinafter provided. Service of such summons  
21 and complaint shall be made by mailing a copy thereof to the office of  
22 the secretary of state [~~at his office~~] in either the city of Albany or  
23 New York, or by personally delivering a copy thereof to one of [~~his~~] the  
24 regularly established offices, with a fee of five dollars, and such  
25 service shall be sufficient service upon such non-resident provided that  
26 notice of such service and a copy of the summons and complaint are  
27 forthwith sent by or on behalf of the plaintiff to the defendant by  
28 registered mail with return receipt requested. The plaintiff shall file  
29 with the clerk of the court in which the action is pending, or with the  
30 judge or justice of such court in case there be no clerk, an affidavit  
31 of compliance herewith, a copy of the summons and complaint, and either  
32 a return receipt purporting to be signed by the defendant or a person  
33 qualified to receive [~~his~~] the defendant's registered mail, in accord-  
34 ance with the rules and customs of the post office department; or, if  
35 acceptance was refused by the defendant or [~~his~~] the defendant's agent,  
36 the original envelope bearing a notation by the postal authorities that  
37 receipt was refused, and an affidavit by or on behalf of the plaintiff  
38 that notice of such mailing and refusal was forthwith sent to the  
39 defendant by ordinary mail. Where the summons is mailed to a foreign  
40 country, other official proof of the delivery of the mail may be filed  
41 in case the post-office department is unable to obtain such a return  
42 receipt. The foregoing papers shall be filed within thirty days after  
43 the return receipt or other official proof of delivery or the original  
44 envelope bearing a notation of refusal, as the case may be, is received  
45 by the plaintiff. Service of process shall be complete when such papers  
46 are filed. The return receipt or other official proof of delivery shall  
47 constitute presumptive evidence that the summons mailed was received by  
48 the defendant or a person qualified to receive [~~his~~] the defendant's  
49 registered mail; and the notation of refusal shall constitute presump-  
50 tive evidence that the refusal was by the defendant or [~~his~~] the defend-  
51 ant's agent. Service of such summons also may be made by mailing a copy  
52 thereof to the office of the secretary of state at [~~his~~] the office of  
53 the secretary of state in either the city of Albany or New York, or by  
54 personally delivering a copy thereof to one of [~~his~~] the regularly  
55 established offices, with a fee of five dollars, and by delivering a  
56 duplicate copy thereof, with the complaint annexed thereto, to the

1 defendant personally without the state by a resident or citizen of the  
2 state of New York or a sheriff, under-sheriff, deputy-sheriff or consta-  
3 ble of the county or other political subdivision in which the personal  
4 service is made, or an officer authorized by the laws of this state, to  
5 take acknowledgments of deeds to be recorded in this state, or an attor-  
6 ney and/or counselor at law, solicitor, advocate or barrister duly qual-  
7 ified to practice in the state or country where such service is made, or  
8 by a United States marshal or deputy United States marshal. Proof of  
9 personal service without the state shall be filed with the clerk of the  
10 court in which the action is pending within thirty days after such  
11 service. Personal service without the state is complete when proof ther-  
12 eof is filed. The court in which the action is pending may order such  
13 extension as may be necessary to afford the defendant reasonable oppor-  
14 tunity to defend the action.

15 § 30. Subdivision 2 of section 253 of the vehicle and traffic law, as  
16 amended by chapter 166 of the laws of 1991, is amended to read as  
17 follows:

18 2. A summons in an action described in this section may issue in any  
19 court in the state having jurisdiction of the subject matter and be  
20 served as hereinafter provided. Service of such summons shall be made by  
21 mailing a copy thereof to the office of the secretary of state at [~~his~~]  
22 the office of the secretary of state either in the city of Albany or New  
23 York, or by personally delivering a copy thereof to one of [~~his~~] the  
24 regularly established offices, with a fee of ten dollars, and such  
25 service shall be sufficient service upon such non-resident provided that  
26 notice of such service and a copy of the summons and complaint are  
27 forthwith sent by or on behalf of the plaintiff to the defendant by  
28 certified mail or registered mail with return receipt requested. The  
29 plaintiff shall file with the clerk of the court in which the action is  
30 pending, or with the judge or justice of such court in case there be no  
31 clerk, an affidavit of compliance herewith, a copy of the summons and  
32 complaint, and either a return receipt purporting to be signed by the  
33 defendant or a person qualified to receive [~~his~~] the defendant's certi-  
34 fied mail or registered mail, in accordance with the rules and customs  
35 of the post-office department; or, if acceptance was refused by the  
36 defendant or [~~his~~] the defendant's agent, the original envelope bearing  
37 a notation by the postal authorities that receipt was refused, and an  
38 affidavit by or on behalf of the plaintiff that notice of such mailing  
39 and refusal was forthwith sent to the defendant by ordinary mail; or, if  
40 the registered or certified letter was returned to the post office  
41 unclaimed, the original envelope bearing a notation by the postal  
42 authorities of such mailing and return, an affidavit by or on behalf of  
43 the plaintiff that the summons was posted again by ordinary mail and  
44 proof of mailing certificate of ordinary mail. Where the summons is  
45 mailed to a foreign country, other official proof of the delivery of the  
46 mail may be filed in case the post-office department is unable to obtain  
47 such a return receipt. The foregoing papers shall be filed within thirty  
48 days after the return receipt or other official proof of delivery or the  
49 original envelope bearing a notation of refusal, as the case may be, is  
50 received by the plaintiff. Service of process shall be complete when  
51 such papers are filed. The return receipt or other official proof of  
52 delivery shall constitute presumptive evidence that the summons mailed  
53 was received by the defendant or a person qualified to receive [~~his~~] the  
54 defendant's certified mail or registered mail; and the notation of  
55 refusal shall constitute presumptive evidence that the refusal was by  
56 the defendant or [~~his~~] the defendant's agent. Service of such summons

1 also may be made by mailing a copy thereof to the office of the secre-  
2 tary of state at [~~his~~] the office of the secretary of state in either  
3 the city of Albany or New York, or by personally delivering a copy ther-  
4 eof to one of [~~his~~] the regularly established offices, with a fee of ten  
5 dollars, and by delivering a duplicate copy thereof with the complaint  
6 annexed thereto, to the defendant personally without the state by a  
7 resident or citizen of the state of New York or a sheriff, under-sher-  
8 iff, deputy-sheriff or constable of the county or other political subdi-  
9 vision in which the personal service is made, or an officer authorized  
10 by the laws of this state, to take acknowledgements of deeds to be  
11 recorded in this state, or an attorney and/or counselor at law, solici-  
12 tor, advocate or barrister duly qualified to practice in the state or  
13 country where such service is made, or by a United States [~~marshall~~]  
14 marshal or deputy United States [~~marshall~~] marshal. Proof of personal  
15 service without the state shall be filed with the clerk of the court in  
16 which the action is pending within thirty days after such service.  
17 Personal service without the state is complete when proof thereof is  
18 filed. The court in which the action is pending may order such exten-  
19 sions as may be necessary to afford the defendant reasonable opportunity  
20 to defend the action.

21 § 31. This act shall take effect on the one hundred eightieth day  
22 after it shall have become a law.