



**SERVICE OF PROCESS, NOTICE, OR DEMAND
ON THE SECRETARY OF STATE AS STATUTORY AGENT**

1. **Case Information.** The service of process being made relates to the following proceeding:

Style of Proceeding: _____

(e.g. name of the plaintiff vs. name of the defendant, or In the matter of..., etc.)

Civil Action No./File No.: _____

Court: _____

(The name of court the proceeding is pending in.)

2. **Statutory Authority.** Service is being made on the Secretary of State pursuant to the following Mississippi Code section:

☐ MS. Code §69-23-113

☐ MS. Code §79-4-15.20

☐ MS. Code §79-13-906

☐ MS. Code §73-42-5

☐ MS. Code §79-35-13

☐ MS. Code §69-23-23

☐ MS. Code §81-5-41

☐ MS. Code §79-15-125

☐ MS. Code §69-7-201

☐ MS. Code §81-5-43

☐ MS. Code §79-13-1103(d)

☐ MS. Code §75-71-611

☐ MS. Code §59-21-161

☐ MS. Code §79-14-906

☐ MS. Code §37-43-29

☐ MS. Code §75-75-1

☐ MS. Code §79-14-907(d)

☐ MS. Code §13-3-41

☐ MS. Code §79-11-511

☐ MS. Code §63-29-23

☐ MS. Code §13-3-57

☐ MS. Code §79-4-15.31

☐ MS. Code §13-3-63

☐ Other: MS. Code §. _____

3. **Defendant Information.** Pursuant to the foregoing statutory authority, the Secretary of State is being served as statutory agent for:

Name of Business Entity or Individual: _____

Business Identification Number (if applicable): _____

The registered agent's or defendant's address where service forwarded to or sheriff attempted service:

4. **Filer's Information.** Person requesting service and to whom the Certificate of Acknowledgment or rejection/deficiency notice is to be sent:

Name: _____

Address: _____

Email: _____

Instructions

Whenever by statute the Secretary of State is appointed or deemed to have been appointed the agent of any individual, corporation, limited partnership, limited liability company or other business entity (“defendant”) for the purpose of service of any process, notice, or demand (“process”), service on the Secretary of State shall be made by delivering or mailing a copy of the process for each defendant, any required certification or affidavit, and the payment of the requisite fee(s) to the Business Regulation Division of the Office of the Secretary of State. The party seeking service shall recite the statute or other authority pursuant to which process is being served on the Secretary of State.

A fee of \$25.00 for businesses and \$15.00 for non-resident motorist payable to “Mississippi Secretary of State” for service on each defendant at each address must accompany the substituted service of process filing. Process Servers/Personal Service must deliver to 660 North Street, Jackson, MS 39202

Section 1. If the requested service relates to a pending judicial or administrative proceeding, indicate the style of proceeding (i.e. plaintiff(s) versus defendant(s)) or the short style of the case (i.e. first plaintiff, et al. versus first defendant, et al.), the civil action number, and the name of the court.

Section 2. Choose the applicable Mississippi statute under which the substituted service of process is being made on the Secretary of State. Only mark one box. If the applicable statutory authority is not listed, mark the “Other” box and specify the applicable statute. The following Code sections specify when the entities or individuals described below may be served through the Office of the Secretary of State:

- | | |
|---|---|
| 1. Aerial Crop Spraying, nonresident herbicide applicators 69-23-113 | 15. Limited Liability Co., Foreign (if agent cannot be located or agent’s authority has been revoked) 79-35-13 |
| 2. Athlete Agents 73-42-5 | 16. Limited Liability Companies, Foreign (if LLC is transacting business in this state without registration) 79-29-1013 |
| 3. Bank, trust company, mutual savings bank, pension fund, mutual savings fund society, mutual banking association, insurance company 81-5-41 | 17. Limited Liability Companies, Foreign (if LLC’s registration is cancelled) 79-29-1011(4) |
| 4. Banking and Trust Assns and Corporations, Out-of-State, acting as executors, administrators, trustees and guardians. 81-5-43 | 18. Limited Liability Companies, Foreign (that is the survivor of a merger) 79-35-13 |
| 5. Boats, Watercraft, nonresident operators of 59-21-161 | 19. Limited Liability Partnerships – without registered agent or agent cannot be found 79-13-1103(d) |
| 6. Carnivals, circus, fair, or the like, not permanently domiciled within the state 75-75-1 | 20. Limited Partnerships, Domestic – if agent resigns and no new agent is appointed 79-35-13(b) |
| 7. Charitable Organization from out-of-state soliciting funds in state 79-11-511 | 21. Limited Partnerships, Foreign – cancellation of registration 79-14-906 |
| 8. Commodities, persons engaging in transactions in 75-89-33 | 22. Limited Partnerships, Foreign -- transacting business without registration 79-14-907(d) |
| 9. Corporations, Foreign – after revocation of certificate of authority 79-4-15.31 | 23. Motor Vehicle Protection Product Act (warrantor) 63-29-23 |
| 10. Corporations, Foreign – after withdrawal of certificate of authority 79-4-15.20 | 24. Motor Vehicles, defendant nonresident motorists 13-3-63 |
| 11. Corporations Foreign and domestic when the agent or governors cannot be located 79-35-13 | 25. Partnerships, merger of partnership entities 79-13-906 |
| 12. Gaming junkets – 13 Mississippi Administrative Code Part 3, Rule 7.2(b)(5)(ii) | 26. Pesticide sales, nonresidents 69-23-23 |
| 13. Investment Trusts, Foreign 79-15-125 | 27. Poultry business licenses 69-7-201 |
| 14. Limited Liability Companies, Domestic (if agent cannot be located) 79-35-13 | 28. Securities Regulation 75-71-611 |
| | 29. Textbook Contractors 37-43-29 |
| | 30. Trust, resident 13-3-41 (refers to how foreign corps are served) |
| | 31. Trustee, nonresident 13-3-57 |

Section 3. Provide the name and address of the defendant who is being served through the Secretary of State. If two or more defendants are being served, use a separate form for each defendant.

Section 4. Provide the name and address of the filer to which the Secretary of State will send either a Certificate of Acknowledgment if the filing is accepted or a notice explaining why the filing was rejected or found deficient. The Secretary of State’s office merely accepts substituted service of process and does not forward these filings to the designated defendant. For any questions, please contact our office at 601-359-9055.

**Statutes providing for Secretary of State to accept Service of Process On
(Updated August 2026)**

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