

453A.52D Agent for service of process.

1. A nonresident vapor products manufacturer that has not registered to do business in the state as a foreign corporation or business entity shall, as a condition precedent to being included or retained in the vapor products directory, appoint and continually engage without interruption the services of an agent in this state to act as agent for service of process on whom all process, and any action or proceeding against the vapor products manufacturer concerning or arising out of the enforcement of [this subchapter](#), may be served in any manner authorized by law. Such service shall constitute legal and valid service of process on the vapor products manufacturer. The vapor products manufacturer shall provide the name, address, telephone number, and proof of the appointment and availability of such agent to the director.

2. The vapor products manufacturer shall provide notice to the director thirty calendar days prior to termination of the authority of an agent and shall further provide proof to the satisfaction of the director of the appointment of a new agent no less than five calendar days prior to the termination of an existing agent appointment. In the event an agent terminates an agency appointment, the manufacturer shall notify the director of the termination within five calendar days and shall include proof to the satisfaction of the director of the appointment of a new agent.

3. A vapor products manufacturer whose vapor products are sold in this state, who has not appointed and engaged the services of an agent as required by [this section](#), shall be deemed to have appointed the secretary of state as its agent for service of process. However, the appointment of the secretary of state as agent shall not satisfy the condition precedent for the vapor products manufacturer to be included or retained in the vapor products directory.

[2024 Acts, ch 1180, §8](#)

NEW section