

February 24, 1961.  
Passed on File.

**House File 576**  
By JUDICIARY 2 COMMITTEE.

Passed House, Date.....4-27-61  
Vote: Ayes.....47 Nays.....0

Passed Senate, Date.....5-4-61  
Vote: Ayes.....49 Nays.....0

Approved.....

## A BILL FOR

An Act relating to service of process on foreign corporations.

*Be It Enacted by the General Assembly of the State of Iowa:*

1 Section 1. Section six hundred seventeen point three (617.3),  
2 Code 1958, is hereby amended by adding thereto the following:  
3 If a foreign corporation makes a contract with a resident of  
4 Iowa to be performed in whole or in part by either party in Iowa,  
5 or if such foreign corporation commits a tort in whole or in  
6 part in Iowa against a resident of Iowa, such acts shall be  
7 deemed to be doing business in Iowa by the foreign corporation  
8 for the purpose of service of process or original notice on  
9 such foreign corporation and shall be deemed to constitute  
10 the appointment by the foreign corporation of the secretary  
11 of state of the state of Iowa and his successors to be its  
12 true and lawful attorney upon whom may be served all lawful  
13 process or original notice in actions or proceedings against  
14 the foreign corporation arising from or growing out of such  
15 contract or tort. The making of the contract or the committing  
16 of the tort shall be deemed to be the agreement of the foreign  
17 corporation that any process or original notice against it which  
18 is so served upon the secretary of state shall be of the same  
19 legal force and effect as if served personally within the state  
20 of Iowa.

### EXPLANATION OF HOUSE FILE 576

Our present "process agent" statute is ineffective to secure service of notice and jurisdiction on companies who sell products in the State of Iowa, and for that reason

no jurisdiction can be secured over the manufacturing company. This bill will provide that the secretary of state would be the agent upon whom service of notice can be made to secure jurisdiction over such foreign corporations in contract and negligence cases where presently they are unable to get service.