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**BILL REQUEST - CODE REVISER'S OFFICE**

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BILL REQ. #: AMH-P/96

ATTY/TYPIST: KT:mmc

BRIEF TITLE:

2 **SSB 5167** - H COMM AMD  
3 By Committee on Law & Justice

4 ADOPTED AS AMENDED 2/29/96

5 Strike everything after the enacting clause and insert the  
6 following:

7 "Sec. 1. RCW 4.28.080 and 1991 sp.s. c 30 s 28 are each amended to  
8 read as follows:

9 Service made in the modes provided in this section shall be taken  
10 and held to be personal service. The summons shall be served by  
11 delivering a copy thereof, as follows:

12 (1) If the action be against any county in this state, to the  
13 county auditor or, during normal office hours, to the deputy auditor,  
14 or in the case of a charter county, summons may be served upon the  
15 agent, if any, designated by the legislative authority.

16 (2) If against any town or incorporated city in the state, to the  
17 mayor, city manager, or, during normal office hours, to the mayor's or  
18 city manager's designated agent or the city clerk thereof.

19 (3) If against a school or fire district, to the superintendent or  
20 commissioner thereof or by leaving the same in his or her office with  
21 an assistant superintendent, deputy commissioner, or business manager  
22 during normal business hours.

23 (4) If against a railroad corporation, to any station, freight,  
24 ticket or other agent thereof within this state.

25 (5) If against a corporation owning or operating sleeping cars, or  
26 hotel cars, to any person having charge of any of its cars or any agent  
27 found within the state.

28 (6) If against a domestic insurance company, to any agent  
29 authorized by such company to solicit insurance within this state.

30 (7) If against a foreign or alien insurance company, as provided in  
31 chapter 48.05 RCW.

32 (8) If against a company or corporation doing any express business,  
33 to any agent authorized by said company or corporation to receive and  
34 deliver express matters and collect pay therefor within this state.

35 (9) If the suit be against a company or corporation other than  
36 those designated in the preceding subdivisions of this section, to the

1 president or other head of the company or corporation, the registered  
2 agent, secretary, cashier or managing agent thereof or to the  
3 secretary, stenographer or office assistant of the president or other  
4 head of the company or corporation, registered agent, secretary,  
5 cashier or managing agent.

6 (10) If the suit be against a foreign corporation or nonresident  
7 joint stock company, partnership or association doing business within  
8 this state, to any agent, cashier or secretary thereof.

9 (11) If against a minor under the age of fourteen years, to such  
10 minor personally, and also to his or her father, mother, guardian, or  
11 if there be none within this state, then to any person having the care  
12 or control of such minor, or with whom he or she resides, or in whose  
13 service he or she is employed, if such there be.

14 (12) If against any person for whom a guardian has been appointed  
15 for any cause, then to such guardian.

16 (13) If against a foreign or alien steamship company or steamship  
17 charterer, to any agent authorized by such company or charterer to  
18 solicit cargo or passengers for transportation to or from ports in the  
19 state of Washington.

20 (14) If against a self-insurance program regulated by chapter 48.62  
21 RCW, as provided in chapter 48.62 RCW.

22 (15) In all other cases, to the defendant personally, or by leaving  
23 a copy of the summons at the house of his or her usual abode with some  
24 person of suitable age and discretion then resident therein.

25 (~~Service made in the modes provided in this section shall be taken  
26 and held to be personal service.~~)

27 (16) In lieu of service under subsection (15) of this section,  
28 where the person cannot with reasonable diligence be served as  
29 described, the summons may be served as provided in this subsection,  
30 and shall be deemed complete on the tenth day after the required  
31 mailing:

32 (a) By leaving a copy at his or her usual mailing address other  
33 than a United States postal service post office box with a person of  
34 suitable age and discretion then resident therein or, if the address is  
35 a place of business, with the secretary, office manager, vice-  
36 president, president, or other head of the company, or with the  
37 secretary or office assistant to such secretary, office manager, vice-  
38 president, president, or other head of the company, and by thereafter  
39 mailing a copy by first class mail, postage prepaid, to the person to

1 be served at his or her usual mailing address other than a United  
2 States postal service post office box; or

3 (b) By leaving a copy at his or her place of employment, during  
4 usual business hours, with the secretary, office manager, vice-  
5 president, president, or other head of the company, or with the  
6 secretary or office assistant to such secretary, office manager, vice-  
7 president, president, or other head of the company, and by thereafter  
8 mailing a copy by first class mail, postage prepaid, to the person to  
9 be served at his or her place of employment."

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