

## 2012 Kansas Statutes

### **17-6206. Resignation of resident agent; failure to appoint successor; effect; service of process.**

(a) The resident agent of one or more corporations may resign without appointing a successor by filing a certificate executed in accordance with K.S.A. 17-6003, and amendments thereto, with the secretary of state; but such resignation shall not become effective until 60 days after the certificate is filed. There shall be attached to such certificate an affidavit of such resident agent, if an individual, or of the authorized officer, if a corporation or any other entity designated pursuant to K.S.A. 17-6202, and amendments thereto that at least 30 days prior to the date of the filing of such certificate, due notice was sent by certified or registered mail to the corporation for which such resident agent was acting, by mailing to the secretary of such corporation, as such secretary's name and address appears on the last annual report of such corporation filed with the secretary of state, or if no annual report has been filed, then as otherwise shown by the files and records of the secretary of state.

(b) After receipt of the notice of the resignation of its resident agent, provided for in subsection (a), the corporation for which such resident agent was acting shall obtain and designate a new resident agent to take the place of the resident agent so resigning in the same manner as provided in K.S.A. 17-6203 and amendments thereto for change of resident agent. If such corporation, being a corporation of this state, fails to obtain and designate a new resident agent as aforesaid prior to the expiration of the period of 60 days after the filing by the resident agent of the certificate of resignation, the secretary of state shall declare the corporate existence of such corporation forfeited. If such corporation, being a foreign corporation, fails to obtain and designate a new resident agent as aforesaid prior to the expiration of the period of 60 days after the filing by the resident agent of the certificate of resignation, the secretary of state shall forfeit its authority to do business in this state.

(c) After the resignation of the resident agent shall have become effective, as provided in this section, and if no new resident agent shall have been obtained and designated in the time and manner aforesaid, service of legal process against the corporation for which the resigned resident agent had been acting shall thereafter be upon the secretary of state in the manner prescribed by K.S.A. 60-304 and amendments thereto.

**History:** L. 1972, ch. 52, § 22; L. 1976, ch. 112, § 1; L. 1978, ch. 80, § 4; L. 1998, ch. 189, § 12; L. 2004, ch. 143, § 7; Jan. 1, 2005.