

and (iv) which corporation was the surviving or successor corporation. If a copy of the document effecting the merger has not been filed with the Department pursuant to Section 90(g) of this Article, the surviving or successor corporation shall also file with the Department an officially certified copy of such document.

(c) Upon receipt of the documents filed in accordance with subsection (b) of this section, the Department shall prepare a certificate or certificates of consolidation or merger in the same manner as provided in Section 66(g) of this Article and shall cause the same to be filed in the same manner as provided in said Section 66(g); provided, however, that such certificate need not state the principal office in this State of any corporation party to the merger or consolidation which does not have such an office, and such certificate shall state the other information set forth in the certificate filed by the successor corporation in accordance with Subsection (b) of this section.

SEC. 13. *And be it further enacted*, That Sections 96(d), 96(e), 97 and 98 of Article 23 of the Annotated Code of Maryland (1957 Edition), title "Corporations," subheading "I. Stock Corporations," subtitle "Process," be and the same are hereby repealed and re-enacted with amendments, to read as follows:

96. Service of Process.

(d) If any corporation of this State, or any foreign corporation required by any statute of this State to have a resident agent, or any foreign corporation subject to suit in this State under Section 92 of this Article, (1) has not a resident agent, or (2) has one or more resident agents and unsuccessful attempts have been made on different business days to serve process either twice upon one resident agent or once upon each of two resident agents, such corporation shall be conclusively presumed to have designated the [Commission] Department as its true and lawful attorney authorized to accept on its behalf service of process in the action in which such process issued, and in such case such process may be served upon the [Commission] Department as the true and lawful attorney of such corporation.

(e) An unsuccessful attempt to serve process upon a resident agent shall be deemed to have been made if an attempt to serve such process has been made during usual business hours at the address certified to the [Commission] Department at the post office address of such resident agent, and such place is closed or there is no resident agent of such corporation at such address.

97. Service on Department.

In cases in which any corporation of this State or any foreign corporation is presumed, as provided in this subtitle, to have designated the [Commission] Department as its true and lawful attorney authorized to accept on its behalf service of process, service of such process may be made by leaving two copies of the process, with the fee required by law, in the office of the [Commission] Department with any member of the [Commission] Department or with its Secretary. Such service shall be sufficient service upon such corporation and of full force and effect in any court and before any justice of the peace of this State.