



State of Illinois
Non-Participating Manufacturer
Certification of Appointment of Agent for Service of Process
Please Review Instructions Prior to Completion.

NPM-2

Part 1: Liability Year and Type of Certification

Liability Year for this Certification: Complete a separate form for each liability year for which you are certifying. (check one) **2008** Other: _____

Type of Certification: (check one) Initial Annual Supplemental

Part 2: Manufacturer Identification

Company Name			
Mailing Address			
City	State	Zip Code	Country
Phone	Fax	FEIN	

Part 3: Manufacturer Status (Check one)

- The NPM certifies that it is registered to do business in Illinois. (**Attach certification from Illinois Secretary of State.**)
- The NPM certifies that it is a non-resident or foreign NPM that has not registered to do business in Illinois, and hereby certifies that it has appointed an agent, located within the State of Illinois, to receive service of process on its behalf. (**Complete Part 4 and attach proof of appointment and availability of Agent.**)

Part 4: Agent Appointed for Service of Process

Company	Contact Name		
Physical Address			
City	State	Zip Code	
Mailing Address			
City	State	Zip Code	
Phone	Fax	E-Mail	
Availability of Agent (hours of business)			

Part 5: Manufacturer Certification

Under penalties of perjury, I state that, to the best of my knowledge, all of the information contained in this Certification and any attached documents are true and accurate. ***This document must be signed and dated by an authorized notary public.***

NPM Authorized Designee (Print Name)	Title
Signature of NPM Authorized Designee	Date
Subscribed and sworn to before me this date: _____	Signature of Notary Public
County	Commission Expires



Instructions for Non-Participating Manufacturer Certification of Appointment of Agent for Service of Process

NPM-2
Instructions

General Information

Who must file this Certification?

Any Non-Participating Manufacturer (NPM) whose cigarettes or roll-your-own tobacco (RYO) were sold in Illinois during the preceding calendar year or who intend for their brands to be listed as compliant in the Illinois Directory of Compliant NPMs.

Who must appoint an Agent for Service of Process?

- Non-resident (out-of-state) and foreign NPMs that are not registered to do business in Illinois are required to continually engage, without interruption, an agent in this State for acceptance of service of process.
- Where an NPM's products are sold in Illinois and the NPM fails to appoint an agent as required by Section 20 of the Tobacco Products Manufacturers' Escrow Enforcement Act of 2003, it shall be deemed to appoint the Illinois Secretary of State as the agent on whom process may be served on its behalf. However, such appointment will not satisfy the condition precedent for having its brand families listed in the Directory of Compliant NPMs.

When is this Certification due?

The annual certification must be filed with the Attorney General no later than April 30 of each year. An initial certification may be filed at any time.

Updates

If the NPM terminates the authority of an agent, the NPM shall notify the Attorney General at least 30 calendar days prior to the termination, and provide proof of the appointment of a new agent at least 5 calendar days prior to the termination.

If the agent terminates an agency appointment, the NPM shall notify the Attorney General of the termination within 5 calendar days of the termination and shall include proof of the appointment of a new agent.

For Additional Forms and Information

Phone (217) 785-8541

Fax (217) 524-4701

www.IllinoisAttorneyGeneral.gov (Click on Tobacco.)

Specific Instructions

Part 1: Liability Year and Type of Certification

- Check appropriate liability year. You must submit a separate certification for each year.
- If "Other" is checked, enter liability year for which certification is being provided.
- Check whether this is an initial (manufacturer is not currently listed on the Illinois Directory), annual (due April 30, 2009 for 2008 sales) or supplemental (change of information provided to the Attorney General) certification.

Part 2: Manufacturer Identification

Provide your company name, address, and phone, fax, and FEIN numbers.

Part 3: Manufacturer Status

- If you are registered to do business in Illinois, **ATTACH CERTIFICATION FROM THE ILLINOIS SECRETARY OF STATE** and complete Part 5.
- If you are not registered to do business in Illinois, you must appoint an agent for service of process who is located within Illinois.
- **ATTACH CURRENT PROOF OF APPOINTMENT AND AVAILABILITY OF AGENT.**

Part 4: Agent Appointed for Service of Process

- Provide contact name and company of Agent appointed for service of process. Provide their physical (street) address as well as mailing address, phone and fax numbers, e-mail address and availability.
- Provide a letter from the Agent acknowledging appointment for 2009.
- Availability of Agent: normal business hours during which the agent would be available at the address provided, for the purpose of service of process.

Part 5: Manufacturer Certification

The authorized designee executing the certification must be an officer, principal, director or other authorized representative of the manufacturer. The authorized designee's name and title must be legibly printed and **the signature must be notarized.**

Mail original document, with attachments to:

**Office of the Attorney General
Tobacco Enforcement Bureau
500 South Second Street
Springfield IL 62706**