

48-3a-113 Operating agreement -- Effect on limited liability company and person becoming member -- Preformation agreement.

- (1) A limited liability company is bound by and may enforce the operating agreement, whether or not the limited liability company has itself manifested assent to the operating agreement.
- (2) A person that becomes a member of a limited liability company is deemed to assent to the operating agreement.
- (3) Two or more persons intending to become the initial members of a limited liability company may make an agreement providing that upon the formation of the limited liability company the agreement will become the operating agreement. One person intending to become the initial member of a limited liability company may assent to terms providing that upon the formation of the limited liability company the terms will become the operating agreement.

Enacted by Chapter 412, 2013 General Session