

16-6a-1004 Voting on amendments of articles of incorporation by voting groups.

- (1) Unless otherwise provided by this chapter or the articles of incorporation, if membership voting is otherwise required by this chapter, the members of a class who are entitled to vote are entitled to vote as a separate voting group on an amendment to the articles of incorporation if the amendment would:
 - (a) affect the rights, privileges, preferences, restrictions, or conditions of that class as to voting, dissolution, redemption, or transfer of memberships in a manner different than the amendment would affect another class;
 - (b) change the rights, privileges, preferences, restrictions, or conditions of that class as to voting, dissolution, redemption, or transfer by changing the rights, privileges, preferences, restrictions, or conditions of another class;
 - (c) increase or decrease the number of memberships authorized for that class;
 - (d) increase the number of memberships authorized for another class;
 - (e) effect an exchange, reclassification, or termination of the memberships of that class; or
 - (f) authorize a new class of memberships.
- (2) If a class is to be divided into two or more classes as a result of an amendment to the articles of incorporation, the amendment shall be approved by the members of each class that would be created by the amendment.

Enacted by Chapter 300, 2000 General Session