

**16-6a-820 Resignation and removal of officers.**

- (1) An officer may resign at any time by giving written notice of resignation to the nonprofit corporation.
- (2) A resignation of an officer is effective when the notice is received by the nonprofit corporation unless the notice specifies a later effective date.
- (3) If a resignation is made effective at a later date, the board of directors may:
  - (a)
    - (i) permit the officer to remain in office until the effective date; and
    - (ii) fill the pending vacancy before the effective date if the successor does not take office until the effective date; or
  - (b)
    - (i) remove the officer at any time before the effective date; and
    - (ii) fill the vacancy created by the removal.
- (4)
  - (a) Unless otherwise provided in the bylaws, the board of directors may remove any officer at any time with or without cause.
  - (b) The bylaws or the board of directors may make provisions for the removal of officers by:
    - (i) other officers; or
    - (ii) the voting members.
- (5) An officer who resigns, is removed, or whose appointment has expired may deliver to the division for filing a statement to that effect pursuant to Section 16-6a-1608.

Enacted by Chapter 300, 2000 General Session