

**48-3a-802 Derivative action.**

A member may maintain a derivative action to enforce a right of a limited liability company if:

- (1) the member first makes a demand on the other members in a member-managed limited liability company, or the managers of a manager-managed limited liability company, requesting that they cause the limited liability company to bring an action to enforce the right, and the managers or other members do not bring the action within a reasonable time; or
- (2) a demand under Subsection (1) would be futile.

Enacted by Chapter 412, 2013 General Session