

61-6-7 Statement by acquiring person.

Any person who proposes to make or has made a control share acquisition may deliver an acquiring person statement to the issuing public corporation at the issuing public corporation's principal office. The acquiring person statement shall set forth all of the following:

- (1) the identity of the acquiring person and each other member of any group of which the person is a part for purposes of determining control shares;
- (2) a declaration that the acquiring person statement is given pursuant to this chapter;
- (3) the number of shares of the issuing public corporation owned (directly or indirectly) by the acquiring person and each other member of the group;
- (4) the range of voting power under which the control share acquisition falls or would, if consummated, fall; and
- (5) if the control share acquisition has not taken place:
 - (a) a description in reasonable detail of the terms of the proposed control share acquisition; and
 - (b) a statement by the acquiring person supported by reasonably detailed facts that the proposed control share acquisition, if consummated, will not be contrary to law, and that the acquiring person has the financial capacity to make the proposed control share acquisition.

Enacted by Chapter 2, 1987 Special Session 1

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