

# State of South Dakota

SEVENTY-FIFTH SESSION  
LEGISLATIVE ASSEMBLY, 2000

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## HOUSE BILL NO. 1278

Introduced by: Representatives Michels, Brown (Jarvis), Crisp, Hunt, and Wilson and Senators Brown (Arnold) and Whiting

1 FOR AN ACT ENTITLED, An Act to revise certain provisions relating to the method of  
2 amending the articles of incorporation of nonprofit corporations.

3 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF SOUTH DAKOTA:

4 Section 1. That § 47-22-16 be amended to read as follows:

5 47-22-16. ~~Where there are~~ If the members are entitled to vote on an amendment to the  
6 articles of incorporation, the board of directors or the members shall adopt a resolution setting  
7 forth the proposed amendment and directing that it be submitted to a vote at a meeting of  
8 members entitled to vote thereon, which may be either an annual or a special meeting. Written  
9 notice setting forth the proposed amendment or a summary of the changes to be effected thereby  
10 shall be given to each member entitled to vote at such meeting within the time and in the manner  
11 provided in chapter 47-23 for the giving of notice of meetings of members. If the members adopt  
12 a resolution setting forth a proposed amendment, written notice shall also be provided to the  
13 board of directors. The proposed amendment shall be adopted upon receiving at least a majority  
14 of the vote entitled to be cast by members present or represented by proxy at ~~such~~ any meeting  
15 of the members.