

20:08:07:01. Notice filing for open-end investment companies. Prior to any offer or sale of securities, issued by an open-end investment company, that are covered securities pursuant to section 18(b)(2) of the Securities Act of 1933, the following notice and fee must be submitted to the division:

- (1) A signed NASAA Form NF (appendix G), Uniform Notice Filing Form;
- (2) A signed NASAA Form U-2 (appendix C), Uniform Consent to Service of Process. An issuer who has filed a Form U-2 in connection with a previous notice filing need not file another; and
- (3) The initial or renewal fee as set forth in SDCL 47-31B-302.

A renewal filing is required annually.

Source: 28 SDR 48, effective October 10, 2001; 30 SDR 211, effective July 1, 2004.

General Authority: SDCL 47-31B-302(a), 47-31B-605(a)(1), 47-31B-605(b).

Law Implemented: SDCL 47-31B-103, 47-31B-302(a)(1) and (2), 47-31B-302(b), 47-31B-302(d).