



## 2020 South Dakota Legislature

# House Bill 1113

Introduced by: **Representative Rounds**

1 **An Act to provide for remote participation in a shareholders' meeting.**

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

3 **Section 1.** That a NEW SECTION be added:

4 **47-1A-709. Shareholders' meeting--Remote communication--Requirements.**

5 If authorized by the board of directors in its sole discretion and subject to any  
 6 guidelines and procedures adopted by the board of directors, shareholders and proxies of  
 7 shareholders not physically present at a meeting of shareholders may participate in the  
 8 meeting by means of remote communication.

9 If shareholders and proxies of shareholders participate in a meeting of shareholders  
 10 by means of remote communication, the participating shareholders and proxies of  
 11 shareholders are deemed to be present in person and to vote at the meeting of  
 12 shareholders, whether the meeting is held at a designated place or solely by means of  
 13 remote communication or at a designated place and by remote communication, if:

14 (1) The corporation has implemented reasonable measures to verify that each person  
 15 deemed present and permitted to vote at the meeting by means of remote  
 16 communication is a shareholder or proxy of a shareholder; and

17 (2) The corporation has implemented reasonable measures to provide shareholders  
 18 and proxies of shareholders a reasonable opportunity to participate in the meeting  
 19 and to vote on matters submitted to the shareholders, including an opportunity to  
 20 communicate and to read or hear the proceedings of the meeting concurrently with  
 21 the proceedings.

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