



2021 South Dakota Legislature
Senate Bill 75
ENROLLED

AN ACT

ENTITLED An Act to correct an error in a statutory cross-reference within the Uniform Limited Liability Company Act.

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

Section 1. That § 47-34A-908 be AMENDED.

47-34A-908. Filings required for conversion--Effective date.

(a) After a plan of conversion is approved:

- (1) A converting limited liability company shall deliver to the secretary of state for filing articles of conversion, which must be signed as provided in § 47-34A-205 and must include:
 - (A) A statement that the limited liability company has been converted into another organization;
 - (B) The name and form of the organization and the jurisdiction of its governing statute;
 - (C) The date the conversion is effective under the governing statute of the converted organization;
 - (D) A statement that the conversion was approved as required by this chapter;
 - (E) A statement that the conversion was approved as required by the governing statute of the converted organization; and
 - (F) If the converted organization is a foreign organization not authorized to transact business in this state, the street and mailing addresses of an office which the secretary of state may use for the purposes of § 47-34A-909(c); and
- (2) If the converting organization is not a converting limited liability company, the converting organization shall deliver to the secretary of state for filing

a certificate of organization, which must include, in addition to the information required by § 47-34A-203(a):

- (A) A statement that the converted organization was converted from another organization;
- (B) The name and form of that converting organization and the jurisdiction of its governing statute; and
- (C) A statement that the conversion was approved in a manner that complied with the converting organization's governing statute.

(b) A conversion becomes effective:

- (1) If the converted organization is a limited liability company, when the certificate of organization takes effect; and
- (2) If the converted organization is not a limited liability company, as provided by the governing statute of the converted organization.

An Act to correct an error in a statutory cross-reference within the Uniform Limited Liability Company Act.

I certify that the attached Act originated in
the:
Senate as Bill No. 75

Received at this Executive Office
this ____ day of _____,
2021 at _____ M.

Secretary of the Senate

By _____
for the Governor

President of the Senate

The attached Act is hereby
approved this ____ day of
_____, A.D., 2021

Attest:

Secretary of the Senate

Governor

STATE OF SOUTH DAKOTA,

ss.

Office of the Secretary of State

Speaker of the House

Attest:

Filed _____, 2021
at _____ o'clock __ M.

Chief Clerk

Secretary of State

Senate Bill No. 75
File No. _____
Chapter No. _____

By _____
Asst. Secretary of State