

489.803 Proper plaintiff.

1. Except as otherwise provided in [subsection 2](#), a derivative action under [section 489.802](#) may be maintained only by a person that is a member at the time the action is commenced and remains a member while the action continues.

2. If the sole plaintiff in a derivative action dies while the action is pending, the court may permit another member of the limited liability company to be substituted as plaintiff.

[2008 Acts, ch 1162, §68, 155](#)

C2009, §489.903

[2023 Acts, ch 152, §143, 161](#)

C2024, §489.803

Former §489.803 repealed effective January 1, 2024, by [2023 Acts, ch 152, §142, 161](#)

Section transferred from §489.903 in Code 2024 pursuant to directive in [2023 Acts, ch 152, §143, 161](#)