

489.1005 Reference to external facts.

1. A plan may refer to facts ascertainable outside the plan if the manner in which the facts will operate upon the plan is specified in the plan. The facts may include the occurrence of an event or a determination or action by a person, whether or not the event, determination, or action is within the control of a party to the transaction.

2. The following provisions of a record delivered to the secretary of state for filing under [this chapter](#) or a plan delivered for filing in lieu of a statement shall not be made dependent on facts outside the record or plan:

- a. The name and address of any person.
- b. The address of the registered agent of any entity.
- c. The registered agent of any entity.
- d. The number of authorized interests and designation of each class or series of interests.
- e. The effective date of a record delivered to the secretary of state for filing.
- f. Any required statement in a record delivered to the secretary of state for filing of the date on which the underlying transaction was approved or the manner in which that approval was given.

[2023 Acts, ch 152, §84, 161](#); [2024 Acts, ch 1125, §19, 31](#)

Former §489.1005 stricken effective January 1, 2024, by [2023 Acts, ch 152, §84, 161](#)
Subsection 2, paragraph b amended