

490.1006 Articles of amendment.

1. After an amendment to the articles of incorporation has been adopted and approved in the manner required by [this chapter](#) and by the articles of incorporation, the corporation shall deliver to the secretary of state, for filing, articles of amendment, which must set forth all of the following:

a. The name of the corporation.

b. The text of each amendment adopted, or the information required by [section 490.120, subsection 11](#), paragraph “e”.

c. If an amendment provides for an exchange, reclassification, or cancellation of issued shares, provisions for implementing the amendment, if not contained in the amendment itself, which may be made dependent upon facts objectively ascertainable outside the articles of amendment in accordance with [section 490.120, subsection 11](#), paragraph “e”.

d. The date of each amendment’s adoption.

e. For an amendment, the following:

(1) If it was adopted by the incorporators or board of directors without shareholder approval, a statement that the amendment was duly adopted by the incorporators or by the board of directors, as the case may be, and that shareholder approval was not required.

(2) If it required approval by the shareholders, a statement that the amendment was duly approved by the shareholders in the manner required by [this chapter](#) and by the articles of incorporation.

(3) If being filed pursuant to [section 490.120, subsection 11](#), paragraph “e”, a statement to that effect.

2. Articles of amendment shall take effect at the effective date determined in accordance with [section 490.123](#).

[89 Acts, ch 288, §114; 2002 Acts, ch 1154, §59, 125; 2007 Acts, ch 140, §8; 2021 Acts, ch 165, §142, 230](#)

Referred to in [§490.1007](#)

2021 amendment effective January 1, 2022; 2021 Acts, ch 165, §230

Section stricken and rewritten