

490.1604 Court-ordered inspection.

1. If a corporation does not allow a shareholder who complies with [section 490.1602, subsection 1](#), to inspect and copy any records required by that section to be available for inspection, the district court of the county where the corporation's principal office or, if none in this state, its registered office is located, may summarily order inspection and copying of the records demanded at the corporation's expense upon application of the shareholder.

2. If a corporation does not within a reasonable time allow a shareholder who complies with [section 490.1602, subsection 2](#), to inspect and copy the records required by that section, the shareholder who complies with [section 490.1602, subsection 3](#), may apply to the district court in the county where the corporation's principal office or, if none in this state, its registered office is located for an order to permit inspection and copying of the records demanded. The court shall dispose of an application under [this subsection](#) on an expedited basis.

3. If the court orders inspection and copying of the records demanded under [section 490.1602, subsection 2](#), it may impose reasonable restrictions on their confidentiality, use, or distribution by the demanding shareholder and it shall also order the corporation to pay the shareholder's expenses incurred to obtain the order, unless the corporation establishes that it refused inspection in good faith because of any of the following:

a. The corporation had a reasonable basis for doubt about the right of the shareholder to inspect the records demanded.

b. The corporation required reasonable restrictions on the confidentiality, use, or distribution of the records demanded to which the demanding shareholder had been unwilling to agree.

[89 Acts, ch 288, §178; 2013 Acts, ch 31, §77, 82; 2021 Acts, ch 165, §202, 230](#)

Referred to in [§490.1602](#)

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

Section stricken and rewritten