

State of Arkansas
91st General Assembly
Regular Session, 2017

A Bill

SENATE BILL 421

By: Senator Rapert
By: Representative Collins

For An Act To Be Entitled

AN ACT TO AMEND THE ARKANSAS BUSINESS CORPORATION ACT OF 1987; TO AUTHORIZE CORPORATIONS UNDER CERTAIN CIRCUMSTANCES TO PROVIDE ANNUAL FINANCIAL STATEMENTS TO SHAREHOLDERS BY ELECTRONIC MAIL; AND FOR OTHER PURPOSES.

Subtitle

TO AMEND THE ARKANSAS BUSINESS CORPORATION ACT OF 1987; AND TO AUTHORIZE CORPORATIONS UNDER CERTAIN CIRCUMSTANCES TO PROVIDE ANNUAL FINANCIAL STATEMENTS TO SHAREHOLDERS BY ELECTRONIC MAIL.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:

SECTION 1. Arkansas Code § 4-27-1620(c), concerning financial statements for shareholders under the Arkansas Business Corporation Act of 1987, is amended to read as follows:

(c) A corporation shall ~~mail~~ furnish the annual financial statements to each shareholder within one hundred twenty (120) days after the close of each fiscal year. Thereafter, on written request from a shareholder who was not ~~mailed~~ furnished the statements, the corporation shall ~~mail him~~ furnish the shareholder the latest financial statements.

SECTION 2. Arkansas Code § 4-27-1620, concerning financial statements for shareholders under the Arkansas Business Corporation Act of 1987, is



amended to add an additional subsection to read as follows:

(d)(1) The requirement to furnish annual financial statements as described in subsection (c) of this section may be satisfied by sending annual financial statements to the shareholder's last known address as shown in the corporation's records by mail or, if a shareholder has provided an appropriate address for sending notices to the shareholder, by electronic mail, or facsimile transmission.

(2) So long as a corporation has an outstanding class of securities registered under § 12 of the Securities Exchange Act of 1934, the requirement to furnish annual financial statements may also be satisfied by the corporation's compliance with 17 C.F.R. § 240.14a-16, as it existed on January 1, 2017, with respect to the obligation of a corporation to furnish an annual financial report to shareholders in accordance with 17 C.F.R. § 240.14a-3(b), as it existed on January 1, 2017.

APPROVED: 03/21/2017