

272A.12-030 Judicial dissolution.

- (1) The appropriate court may dissolve a limited cooperative association or order any action that under the circumstances is appropriate and equitable:
 - (a) In a proceeding initiated by the Attorney General, if:
 1. The association obtained its articles of association through fraud; or
 2. The association has continued to exceed or abuse the authority conferred upon it by law; or
 - (b) In a proceeding initiated by a member if:
 1. The directors are deadlocked in the management of the association's affairs, the members are unable to break the deadlock, and irreparable injury to the association is occurring or is threatened because of the deadlock;
 2. The directors or those in control of the association have acted, are acting, or will act in a manner that is illegal, oppressive, or fraudulent;
 3. The members are deadlocked in voting power and have failed to elect successors to directors whose terms have expired for two (2) consecutive periods during which annual members meetings were held or were to be held; or
 4. The assets of the association are being misapplied or wasted.
- (2) The clerk of the court shall deliver a certified copy of the decree of dissolution to the Secretary of State, who shall file it. The dissolution shall be effective upon the latter of the date specified by the court or the filing of the decree of dissolution by the Secretary of State.
- (3) After entering the decree of dissolution, the appropriate court shall direct the winding up and liquidation of the business and affairs of the limited cooperative association and the notification of claimants in accordance with this chapter.

Effective: July 12, 2012

History: Created 2012 Ky. Acts ch. 160, sec. 90, effective July 12, 2012.