

**§1423. Proper plaintiff**

A derivative action may be maintained only by a person that is a partner at the time the action is commenced and: [PL 2005, c. 543, Pt. C, §2 (NEW).]

**1. Partner when conduct occurred.** That was a partner when the conduct giving rise to the action occurred; or  
[PL 2005, c. 543, Pt. C, §2 (NEW).]

**2. Partner status.** Whose status as a partner devolved upon the person by operation of law or pursuant to the terms of the partnership agreement from a person that was a partner at the time of the conduct.  
[PL 2005, c. 543, Pt. C, §2 (NEW).]

**SECTION HISTORY**

PL 2005, c. 543, §C2 (NEW).

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